



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Social and Rehabilitation Services**Request for Comments**

The Kansas Department of Social and Rehabilitation Services/Mental Health, Addiction and Prevention Services (MHAAPS), as the state mental health authority, annually receives \$300,000 in federal funds from the Center for Mental Health Services to provide Projects for Assistance in Transition from Homelessness (PATH). MHAAPS announces that its intended use of the grant is to effectively outreach, engage and serve those individuals who are seriously mentally ill and homeless (or at imminent risk of homelessness).

Direct written comments or questions regarding the intended use of PATH funds to Christy McMurphy, MHAAPS, 10th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1570.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 029269

State of Kansas

**Department of Administration
Division of Facilities Management****Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for the replacement of the campus primary electrical distribution system at the Larned State Hospital. The replacement is to include main electrical switchgear; primary distribution cables; primary transformers for each building; primary distribution switches and various secondary, low voltage, building service entrance switchboards; and power distribution equipment. The estimated construction budget is \$6.6 million.

For information regarding the scope of services, contact Gary LaShell, Department of Social and Rehabilitation Services, (785) 296-3771.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Phyllis Fast, Division of Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Phyllis Fast before 5 p.m. May 16.

Stuart D. Leighty
Director, Division of
Facilities Management

Doc. No. 029287

State of Kansas

Social and Rehabilitation Services**Request for Comments**

The Department of Social and Rehabilitation Services is accepting comments on the state fiscal year 2004 Social Services Block Grant (SSBG) State Plan. Any organization or individual wishing to obtain a copy of the plan can access it on the SRS Web site at <http://www.srskansas.org/>. Comments may be submitted to Lisa Becker, Social and Rehabilitation Services, Office of Budget, 11th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, e-mail: llb@srskansas.org. Comments are due by May 31.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 029293

State of Kansas

**Department of Administration
Division of Facilities Management****Notice of Commencement of Negotiations for
Architectural and Engineering Services**

Notice is hereby given of the commencement of negotiations for the Dillon Complex Remodel with Control Center Addition at the Larned State Hospital. The existing complex is a medium security facility with four patient wards and program space. The housing unit was built in 1937. The scope of work for this project is rehabilitation and repair, upgrade security throughout, control center addition, program space improvements and bring the facility up to current codes. The estimated construction budget is \$8.4 million.

For information regarding the scope of services, contact Gary LaShell, Department of Social and Rehabilitation Services, (785) 296-3771.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Phyllis Fast, Division of Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Phyllis Fast before 5 p.m. May 16.

Stuart D. Leighty
Director, Division of
Facilities Management

Doc. No. 029288

State of Kansas

Kansas Arts Commission

Notice of Advisory Panel Meetings

The Kansas Arts Commission has scheduled meetings of advisory panels to review applications for financial support of arts-related programs and projects by Kansas community and arts organizations. The funds are offered through grant programs for fiscal year 2004 (July 1, 2003—June 30, 2004). The panels and their meeting times and dates are as follows:

- Arts Project Support,
1 p.m. Monday, May 12
- Arts In Early Education Projects,
8:30 a.m. Tuesday, May 13
- Arts In Education for At-Risk Youth,
1 p.m. Tuesday, May 13
- Arts In Education Community Projects,
9 a.m. Wednesday, May 14

Each panel will convene in the Senate Room on the lobby level of the Jayhawk Tower, 700 S.W. Jackson, Topeka.

The panels are comprised of knowledgeable individuals from across Kansas. Each panel is chaired by a member of the commission, and other commissioners also serve on the panels. The recommendations of the four panels will be acted upon by the commission during its quarterly business meeting on Wednesday, June 25, at the Wichita Art Museum, 619 Stackman Drive, Wichita.

Applicants are encouraged but not required to attend the panel meetings and hear the critiques of their applications and programs. Applicants do not make presentations but may answer specific questions directed to them by the panelists.

Meetings of the Kansas Arts Commission, a state agency, and its advisory panels are open to public observation in accessible locations. All proceedings are recorded on audiotape. Individuals who require special accommodation are asked to make such requests in advance. Assisted listening devices will be available.

Funding for commission programs is provided through grants from the National Endowment for the Arts, a federal agency, and appropriations by the Kansas Legislature.

For more information, contact the Kansas Arts Commission office, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603-3761, (785) 296-3335, fax 296-4989, or e-mail KAC@arts.state.ks.us. Program information is available on the commission's Web site at <http://arts.state.ks.us>.

David M. Wilson
Executive Director

Doc. No. 029275

State of Kansas

Kansas Military Board

Notice of Meeting

The Kansas Military Board of the Adjutant General's Department will meet at 10 a.m. Thursday, May 8, at the State Defense Building, Conference Room 102, 2800 S.W. Topeka Blvd., Topeka. Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least two working days in advance of the meeting by contacting Tracey Talley at (785) 274-1001.

Tracey Talley
Executive Secretary to
the Adjutant General

Doc. No. 029303

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For further information, call (785) 296-2377.

5/12/2003	06095	Court Reporting Services
5/12/2003	06119	Computer-to-Plate System
5/12/2003	06121	Shelter Kits
5/12/2003	16122	Random Access Automated Chemical System and Ion Chromatography Instruments
5/13/2003	06106	Chemicals
5/14/2003	06124	Audit/Monitoring Services for Employment and Training
5/15/2003	06127	Abandoned Well Plugging—Goodrich Project I
5/15/2003	06133	Calendars 2004

The above referenced bid documents can be downloaded at the following Web site:

<http://da.state.ks.us/purch/rfq/>

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/adds/default/htm>

The following bid documents may be obtained by calling (785) 296-8899:

5/20/2003	A-9515	Repave Roads and Drives
5/20/2003	A-9517	Replace Siding, Windows and Doors Rev.
5/20/2003	A-9577	South Wing Masonry Repairs
5/20/2003	A-9584	Kansas State University—Salina Identification Sign
5/22/2003	A-9512	New Facility Parking Lot
5/28/2003	A-9022	Equipment Wash Building

Stuart D. Leighty
Director of Purchases

Doc. No. 029299

**State of Kansas
Board of Adult Care Home Administrators**

Notice of Meetings

The Complaint Investigatory Committee of the Board of Adult Care Home Administrators will meet at 11 a.m. Friday, June 13, in Classroom F of the Kansas National Education Association (KNEA) Building, 715 S.W. 10th Ave., Topeka. The regular quarterly meeting of the board will follow at 1 p.m.

Marla Rhoden, Director
Health Occupations Credentialing

Doc. No. 029268

(Published in the Kansas Register May 1, 2003.)

**Washburn University of Topeka
Topeka, Kansas**

Notice of Intent to Issue Revenue Bonds

The Board of Regents of Washburn University of Topeka, Topeka, Kansas, pursuant to official action taken April 16, 2003, declared it necessary and authorized the acquisition, construction, equipping and furnishing of certain university buildings, including but not limited to a 194-bed residential facility and such other facilities necessary to support such residential facility (the Transitional Housing Project), all at an estimated cost of \$7,775,000.

The board declared it necessary and authorized the issuance of revenue bonds under the authority of K.S.A. 76-6a13 to 76-6a25, inclusive, as amended and supplemented, of the university in an amount not to exceed \$7,775,000, such bonds to be used to pay the costs of the Transitional Housing Project and provide for the related costs of issuance.

Unless an action to contest the legality of the proposed revenue bonds of the university shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the proceedings of the board and other proceedings duly and legally had and taken by the board prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matter. After the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the board, all such revenue bonds shall be conclusively presumed to be legal, and no court shall thereafter have the authority to inquire into such matter.

Dated April 16, 2003.

Board of Regents
Washburn University of Topeka
Topeka, Kansas
By: Charles T. Engel
Chairman, Board of Regents
Attest: Kenneth P. Hackler
Secretary of the Board

Doc. No. 029277

**State of Kansas
Pooled Money Investment Board**

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 4-28-03 through 5-4-03

Term	Rate
1-89 days	1.27%
3 months	1.08%
6 months	1.13%
1 year	1.18%
18 months	1.34%
2 years	1.56%

Derl S. Treff
Director of Investments

Doc. No. 029267

**State of Kansas
Wildlife and Parks Commission**

**Notice of Alteration of Public Hearing Agenda
on Proposed Administrative Regulations**

The Wildlife and Parks Commission has previously scheduled a public hearing to be conducted at 7 p.m. Thursday, June 26, at the Aberdeen Steakhouse, 503 Main, Atwood, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

The public hearing will continue concerning the department's proposed amendments to **K.A.R. 115-4-6**, **K.A.R. 115-18-8** and **K.A.R. 115-25-20** as well as the department's proposed implementation of a new regulation, **K.A.R. 115-25-19**. The commission is withdrawing proposed amendments to **K.A.R. 115-4-4** from consideration at this time. A notice of this public hearing was published for these regulatory actions in the April 24, 2003 Kansas Register.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Ave., Suite 200, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes
Chairman

Doc. No. 029274

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Monday, May 12, in the commission's conference room, Suite 500, 109 S.W. 9th, Topeka. A copy of the agenda may be obtained by contacting Cathy Greene at the address above, (785) 296-3600. If special accommodations are needed, please contact the agency at least three days in advance of the meeting date.

Tracy Streeter
Executive Director

Doc. No. 029298

(Published in the Kansas Register May 1, 2003.)

City of Overland Park, Kansas

Notice to Bidders

Sealed bids for **Pflumm Road, 143rd Street to 135th Street, KDOT Project No. 46 N-0255-01** will be received by the City of Overland Park, Kansas, at the office of the City Clerk, City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212, until 2 p.m. local time June 3, 2003. At that time all sealed bids will be transferred to the City Council Chamber, City Hall, where they will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

All bids shall be submitted in sealed envelopes addressed to the City Clerk of Overland Park, Kansas, and marked "BID FOR: Pflumm Road, 143rd Street to 135th Street, KDOT Project No. 46 N-0255-01." Copies of plans, specifications, bid documents and other contract documents are on file at the office Kelly Imaging, 10840 W. 86th St., Lenexa, Kansas. Contractors desiring the contract documents for use in preparing bids may obtain a set of such documents from Kelly Imaging at (913) 341-2333 or www.kellyimaging.net for a nonrefundable payment of \$250 per set.

Contractors should read and be fully familiar with all contract documents before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work.

Should a bidder find "defects" as defined in paragraph GC-3 of the General Conditions, it shall follow the procedures outlined in paragraph GC-3 to bring same to the attention of city. Changes necessitated thereby shall be in the form of addenda issued by the consulting engineer.

All bidders shall verify that they have considered all written addenda. Neither the city nor the consulting engineer shall be responsible for oral instructions.

Any written addenda issued during the time of bidding shall be covered and included in the bid. There will be no clarifications or exceptions allowed on the bid. Bids are for a total bid package, total contract price.

Bids shall be made upon the form provided in ink or typewritten. Numbers shall be stated both in writing and

in figures, the signature shall be long hand, and the complete form shall be without alteration or erasure. On alternate items for which a bid is not submitted, a written indication of "no bid" on the bid form is required.

No oral, telegraphic, facsimile or telephonic bids or alterations will be considered.

The following items must be included in the sealed envelope with the bid:

- a. Bid
- b. 5% Bid Security—Bid Bond, Cashier's Check or Certified Check (see below)
- c. Signed Documents (KDOT Certifications)
 - Certification—Noncollusion & History of Debarment
 - Certifications—Federal Funds for Lobbying
 - Required Contract Provisions—Certification—Contractual Services with
 - Current Legislator or Legislator's Firm
 - Required Contract Provision—DBE Contract Goals

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on any acceptable bank, made payable to the City of Overland Park, Kansas, in an amount of not less than 5 percent of the total bid, which shall be retained by the City of Overland Park until a contract for the project has been executed. Bid bonds will be returned to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. The bid deposit of the successful bidder and the second qualifying bidder will be returned when satisfactory bonds in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed.

In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening; provided, however, that no bidder may withdraw its bid for a period of 30 days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection. It is understood by all bidders that an unsuccessful bidder has no cause of action against the city for bid preparation costs. The filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 1:30 p.m. Wednesday, May 21, in Conference Room 1, first floor, Overland Park City Hall, 8500 Santa Fe Drive, Overland Park.

Mary Lou McCann
Contract Specialist
Public Works Department
City of Overland Park, Kansas

Doc. No. 029295

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 03-05 by adding the following project:

Project U-1933-01—Preliminary engineering, 8th Street from US-83 west to Calvert in the City of Liberal, Seward County

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude May 23.

Deb Miller
Secretary of Transportation

Doc. No. 029257

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) for fiscal years 2003-2005 by adding the following project:

Project U-1948-01 - Intersection Improvement, U.S. 77 and 12th Street in the City of El Dorado, Butler County.

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude June 2.

Deb Miller
Secretary of Transportation

Doc. No. 029276

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. May 21 and then publicly opened:

District One — Northeast

Doniphan—7-22 K-8377-01 — K-7, Wolf River bridge, 5.5 miles northwest of the west junction of U.S. 36, bridge deck. (State Funds)

Doniphan—7-22 K-9225-01 — K-7 from the junction of county route 2128 (old U.S. 36), north to the Kansas-Nebraska state line, 13.1 miles, crack repair. (State Funds)

Douglas—40-23 U-1929-01 — U.S. 40 (6th Street) and Kasold Road in Lawrence, intersection improvement. (Federal Funds)

Jackson—75-43 K-8619-01 — U.S. 75 and Columbine Drive north of Holton, grading and surfacing. (State Funds)

Jefferson—44 C-3621-01 — County road 0.4 mile south and 2.6 miles west of Oskaloosa, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Johnson—435-46 K-9233-01 - I-435, eastbound and westbound from Quivira Road to I-35, pavement patching. (State Funds)

Johnson—46 N-0180-01 - 119th and Mission Road in Leawood, 0.5 mile, intersection improvement. (Federal Funds)

Johnson—35-46 K-9236-01 — I-35, .25 mile south of I-635 north to Lamar Avenue, 1.2 miles, pavement patching. (State Funds)

Nemaha—71-66 K-9229-01 — K-71 from the junction of K-63 east to the south city limits of Bern, 4.6 miles, seal. (State Funds)

Osage—31-70 K-9221-01 — K-31 from the east junction of I-35, south to the Osage-Coffey county line, 1.3 miles, seal. (State Funds)

Pottawatomie—24-75 X-2218-02 — Union Pacific Railroad and new entrance to St. Marys Academy, grading and surfacing. (Federal Funds)

Shawnee—470-89 K-9237-01 — I-470 from the junction of I-70 south to 0.7 mile east of Gage Boulevard, 5.4 miles, joint repair. (State Funds)

District Two — Northcentral

Dickinson—21 K-7996-01 — County route 187 from the junction of county route 124, west 1 mile, surfacing. (State Funds)

Dickinson—56B-21 K-9242-01 — U.S. 56B from the east edge of Broadway east to 13.5 miles west of the west edge of Herington, 0.6 mile, milling and overlay. (State Funds)

District—106 K-5926-03 - Various locations in District 2, 335.6 miles, signing. (State Funds)

Ottawa—18-72 K-9215-01 — K-18 from the south junction of old U.S. 81 east to the Ottawa-Dickinson county line, 14.6 miles, crack repair. (State Funds)

(continued)

Ottawa—106-72 K-9224-01 — K-106 from the junction of K-18 north and east 16.3 miles, crack repair. (State Funds)

District Three — Northwest

Norton—283-69 K-9232-01 — U.S. 281 from the west junction of K-9 north to the south city limits of Norton, 13.7 miles, seal. (State Funds)

Russell—84 C-3838-01 — County road 6 miles south and 2 miles west of Russell, 0.5 mile, grading and bridge. (Federal Funds)

Sherman—91 C-3734-01 — County road 14.5 miles west of Goodland, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

District Four — Southeast

Anderson—31-2 K-9219-01 — K-31 from the Coffey-Anderson county line east to the north junction of U.S. 59, 20.9 miles, seal. (State Funds)

Cherokee—102-11 K-9222-01 — K-102 from the east city limits of West Mineral east to the junction of K-7, 5 miles, seal. (State Funds)

Cherokee—103-11 K-9223-01 — K-103 from the junction of K-7 east to the junction of U.S. 69, 7 miles, seal. (State Funds)

Coffey—31-16 K-9220-01 — K-31 from the Osage-Coffey county line, south and east to the Coffey-Anderson county line, 7.8 miles, seal. (State Funds)

Linn—31-54 K-8723-01 — K-31 culvert 3.2 miles east of the junction of K-3, culvert construction. (State Funds)

Wilson—103 C-3845-01 — County road 1 mile south and 1.3 miles east of Fredonia, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Woodson—54-104 K-8729-01 — U.S. 54, Plum Creek bridge, bridge repair. (State Funds)

Wilson—400-103 K-9127-01 — U.S. 400 from the junction of K-39 east 0.09 mile, grading and surfacing. (State Funds)

Montgomery—63 U-1845-01 - West Main from 21st to 27th in Independence, 0.4 mile, grading and surfacing. (Federal Funds)

District Five — Southcentral

Barton—281-5 K-9212-01 — U.S. 281 from the Stafford-Barton county line north to the south end Arkansas River bridge, 6.6 miles, seal. (State Funds)

Butler—54-8 K-8735-01 — U.S. 54 bridges over White-water River, bridge repair. (State Funds)

Kingman—54-48 K-9213-01 — U.S. 54 from the east city limits of Cunningham east to the west city limits of Kingman, 16.2 miles, seal. (State Funds)

Pratt—76 C-3839-01 — County road 2 miles east and 2.3 miles south of Cullison, 0.4 mile, grading and bridge. (Federal Funds)

Reno—96-78 K-9214-01 — K-96 from the Rice-Reno county line to the east city limits of Nickerson, 7.9 miles, crack repair. (State Funds)

Rice—14-80 K-8013-01 - Cleveland Avenue to Forrest Avenue on K-14 in Sterling, 0.4 mile, milling and overlay. (State Funds)

Rice—46-80 K-8379-01 — K-46 culvert 1.2 miles north of the junction of U.S. 56, culvert construction. (State Funds)

Rice—46-80 K-8709-01 — K-46 culvert, 0.5 mile north of the junction of U.S. 56, culvert construction. (State Funds)

Rush—96-83 K-9184-01 — K-96 from the junction of U.S. 183 east to the Rush-Barton county line, 15 miles, seal. (State Funds)

Sedgwick—135-87 K-9168-01 — I-135 bridges over 85th Street, bridge repair. (State Funds)

Sedgwick—96-87 K-8290-01 — Intersections of Hillside Street, Oliver Street, Woodlawn Avenue, Rock Road, Webb Road, 13th Street, 21st Street and U.S. 54 in Wichita, lighting. (State Funds)

Sumner—160-96 K-9058-01 — U.S. 160 and Woodlawn Avenue in the City of Wellington, traffic signals. (State Funds)

District Six — Southwest

District—23-106 K-5929-03 - Various locations in District 6, 132.4 miles, signing. (State Funds)

Gray—35 C-3772-01 — County road from U.S. 56 west of Montezuma north 9.6 miles, surfacing. (Federal Funds)

Ness—96-68 K-7724-01 - Intersection of K-96 (Sycamore Street)/Kansas Avenue in Ness City, 0.06 mile, curb and gutter. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Deb Miller
Secretary of Transportation

Doc. No. 029272

State of Kansas

**Speech-Language Pathology/
Audiology Advisory Board**

Notice of Meeting

The Speech-Language Pathology/Audiology Advisory Board will meet at 10 a.m. Thursday, July 17, in Classroom C of the Kansas National Education Association (KNEA) Building, 715 S.W. 10th Ave, Topeka.

Marla Rhoden, Director
Health Occupations Credentialing

Doc. No. 029270

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction approval. Astaris, LLC has applied for an air quality construction approval in accordance with the provisions of K.A.R. 28-19-300. Emissions of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process. Notice is given that certain requirements in the construction approval dated September 22, 1999, are being superseded to add a federally-enforceable limitation.

Astaris LLC owns and operates an inorganic chemical manufacturing facility located at 440 N. 9th, Lawrence, at which the thermal oxidizer is located.

A copy of the proposed approval, approval application, all supporting documentation and all information relied upon during review of the approval application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed approval and supporting documentation, contact John Irwin, (785) 296-2501, at the KDHE central office; or Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed approval to John Irwin, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final approval decision, written comments must be received by close of business June 2.

A person may request a public hearing be held on the proposed approval. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carrero, Bureau of Air and Radiation, not later than the close of business June 2 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029291

State of Kansas

**Department of Revenue
Division of Taxation**

Request for Bids for Oil and Gas Lease

The Director of Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the State of Kansas, described as follows:

That portion of the Arkansas Riverbed as it meanders through Sections 25 and 36, Township 25 South, Range 20 West; and Sections 1, 2, 3, 9, 10, 11, 15, 16, 20, 21, and 28, Township 26 South, Range 20 West, Edwards County, Kansas; containing 546 acres more or less.

The bidding shall be considered upon the amount of bonus, annual rental and royalty to be paid. Due to the cost of processing, no bids will be accepted for less than \$100 on small tracts of less than 100 acres.

Bids shall be submitted upon forms obtained from the Director of Taxation, Kansas Department of Revenue, Docking State Office Building, 915 S.W. Harrison, Topeka, 66625.

Lease shall be made on forms provided by the state for a term of five years. The successful bidder pays publication costs in the local newspaper and the Kansas Register.

Bids shall be opened at the office of the Director of Taxation at 2 p.m. May 28. The Director of Taxation reserves the right to reject any and all bids and to re-advertise.

Steven A. Stotts
Director of Taxation

Doc. No. 029278

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Westar Energy has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 for the Lawrence Energy Center power plant. Emissions of particulate matter (PM) and particulate matter equal to or less than 10 microns in diameter (PM₁₀) were evaluated during the permit review process.

Westar Energy, Topeka, owns and operates the stationary source located at 1250 N. 1800 Road, Lawrence, at which components of the coal handling system are to be replaced.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office;

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or Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 2.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business June 2 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029296

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has reviewed an application from Tom's Tire Processing to establish and operate a new waste tire processing facility. This facility would be located in the Section 21, Township 11S, Range 25E, Wyandotte County, at 1010 S. 12th St., Kansas City, Kansas. KDHE has reviewed the application and found it to be in conformance with the state solid waste statutes and regulations.

KDHE is providing public notice of its intent to issue a permit to Tom's Tire Processing for the proposed waste tire processing facility described herein. A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review until June 2 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Solid Waste Permits Section
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Ken Powell
(785) 296-1121

Unified Government of Kansas City/Wyandotte
County Clerk
701 N. 7th St., Suite 323
Kansas City, KS 66101
Contact: Carol Godsil
(913) 573-5260

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than June 2 to Ken Powell (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on

whether to issue the permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029292

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has reviewed an application from ZZ Mats Enterprises, LLC to establish and operate a new waste tire processing facility. This facility would be located in the Southwest 1/4, Section 5, Township 10S, Range 27W, Sheridan County, at Route 1, Box 11, Park. KDHE has reviewed the application and found it to be in conformance with the state solid waste statutes and regulations.

KDHE is providing public notice of its intent to issue a permit to ZZ Mats Enterprises, LLC for the proposed waste tire processing facility described herein. A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review until June 2 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Solid Waste Permits Section
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Ken Powell
(785) 296-1121

Sheridan County Clerk
County Courthouse
P.O. Box 899
Hoxie, 67740
Contact: Paula Bielser, Clerk
(785) 675-3361

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than June 2 to Ken Powell (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029294

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-03-111/114 Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Kirchhoff Cattle, SW/4 of Section 31, T04S, R14W, Smith County, Solomon River Basin.

Kansas Permit No. A-SOSM-B004 This is a permit renewal for an existing facility for 950 head (950 animal units) of beef cattle weighing greater than 700 pounds.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

Staff gauges shall be installed in each outdoor retention structure within six months from the effective date of the permit.

Within six months from the effective date of the permit, the overflow spillway on the center retention dam shall be filled in to the same elevation, slope and width as the adjoining retention dam berm. The fill shall consist of compacted unconsolidated soils essentially void of rock, gravel, sand or other porous media. All vegetation shall be removed prior to placement of fill.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Clare Shriwise, Inc., NE/4 of Section 35, T22S, R24W, Hodgeman County, Upper Arkansas River Basin.

Kansas Permit No. A-UAHG-B012 This is a new permit for an existing facility for 999 head or 749 animal units of beef cattle (499 head over 700 pounds and 500 head 700 pounds or less).

Permeability tests shall be conducted on the northwest earthen retention structure (Lagoon #2). If permeability tests have already been completed, the results may be submitted in lieu of additional testing.

Permeability testing shall be completed within 12 months of the effective date of the permit.

Dewatering equipment shall be obtained within six months after issuance of the permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Storm Feed Yard, N/2 of Section 05, T20S, R33E, Scott County, Upper Arkansas River Basin.

Kansas Permit No. A-UASC-C027 Federal Permit No. KS0097195 This is a new permit for an existing facility for 3,000 head (3,000 animal units) of beef cattle weighing more than 700 pounds. There will be no increase in the number of head. The permit is only for increasing the size of the retention control structures.

Permeability tests shall be conducted on the earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be obtained within six months after issuance of the permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit. Manure solids will be given to area farmers.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Winter Feedyard, Inc., NW/4 and E/2 of Section 33, & NW/4 of Section 34, T26S, R24W, Ford County, Upper Arkansas River Basin.

Kansas Permit No. A-UAFO-C001 Federal Permit No. KS0040584 This is a new permit for an expanding facility for 45,000 head (45,000 animal units) of beef cattle weighing greater than 700 pounds.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and which have received manure or wastewater within the five-year permit cycle.

Permeability tests shall be conducted on all proposed earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be obtained within 6 months after issuance of the permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the at-

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tention of Glenda Newquist for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before May 31 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-03-111/114) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th, Hays,
67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place,
Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence,
66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road,
Dodge City, 67801-6098, (620) 225-0596

South Central District Office, 130 S. Market, 6th Floor,
Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720,
(620) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots>.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029297

(Published in the Kansas Register May 1, 2003.)

**Summary Notice of Bond Sale
Barton County, Kansas
\$4,942,000**

**General Obligation Sales Tax Bonds
Series 2003-A**

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated April 14, 2003, sealed, facsimile and electronic bids will be received by the clerk of Barton County, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at the Barton County Courthouse, 1400 Main St., Great Bend, KS 67530, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 11 a.m. May 12, 2003, for the purchase of \$4,942,000 principal amount of General Obligation Sales Tax Bonds, Series 2003-A. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$7,000 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated May 15, 2003, and will become due on September 1 in the years as follows:

Year	Principal Amount
2004	\$407,000
2005	455,000
2006	465,000
2007	475,000
2008	485,000
2009	495,000
2010	510,000
2011	530,000
2012	550,000
2013	570,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually March 1 and September 1 in each year, beginning March 1, 2004.

Book-Entry-Only System

The bonds will be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$98,840 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 27, 2003, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$188,487,447. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$7,472,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (620) 793-1835, fax (620) 793-1990, e-mail: clerk@bartoncounty.org; or from the financial advisor, George K. Baum & Company, 435 Nichols Road, Kansas City, MO 64112, Attention: Roger Edgar, (800) 821-7195, fax (816) 283-5326, e-mail: edgar@gkbaum.com.

Dated April 14, 2003.

Barton County, Kansas

Doc. No. 029283

(Published in the Kansas Register May 1, 2003.)

**Summary Notice of Bond Sale
City of Buhler, Kansas
\$535,000
General Obligation Bonds, Series 2003
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated March 25, 2003, written bids will be received by the clerk of the City of Buhler, Kansas (the issuer), on behalf of the governing body at City Hall, 219 N. Main, P.O. Box 187, Buhler, KS 67522, until 6:30 p.m. May 13, 2003, for the purchase of \$535,000 principal amount of General Obligation Bonds, Series 2003. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 2003, and will become due on October 1 in the years as follows:

Year	Principal Amount
2004	\$20,000
2005	30,000
2006	30,000
2007	30,000

2008	30,000
2009	35,000
2010	35,000
2011	35,000
2012	35,000
2013	40,000
2014	40,000
2015	40,000
2016	45,000
2017	45,000
2018	45,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2004.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$10,700 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 11, 2003, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$6,755,083. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$810,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (620) 543-2253, fax (620) 543-6417; or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351, fax (316) 264-9370, e-mail: bouilly@gkbaum.com.

Dated March 25, 2003.

City of Buhler, Kansas

Doc. No. 029280

(Published in the Kansas Register May 1, 2003.)

**Summary Notice of Bond Sale
City of Marysville, Kansas
\$331,000**

**General Obligation Bonds, Series 2003B
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bond Sale Particulars

Subject to the terms and conditions of the complete official notice of bond sale dated May 1, 2003, of the City of Marysville, Kansas, in connection with the issuance of the city's General Obligation Bonds, Series 2003B, as hereinafter described, sealed, written bids will be received at the office of the city clerk at the Marysville City Hall, 209 N. Eighth, Marysville, KS 66508, until 5 p.m. Monday, May 12, 2003, for the purchase of the bonds. All bids will be publicly opened, read aloud and tabulated on said date and at said time and will thereafter be considered and acted upon by the governing body of the city at its meeting to be held in the Marysville City Hall at 7 p.m. that day.

No oral or auction bids for the bonds will be considered, and no bids for less than the entire series of bonds will be considered.

Bids will be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk. Bids may be submitted by mail or delivered in person, and must be received at the place and not later than the date and time herein specified. Each bid must be accompanied by a good faith deposit in the form of a qualified financial surety bond or certified or cashier's check drawn on a bank located within the United States, each made payable to the order of the city and in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The aggregate principal amount of the bonds is \$331,000. The bonds will be dated as of May 20, 2003, and will be issued as fully registered bonds in the denomination of \$36,777.78. The bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds will be payable annually each year, commencing May 20, 2004, and the bonds will mature serially on May 20 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$36,777.78	2004
36,777.78	2005
36,777.78	2006
36,777.78	2007
36,777.78	2008
36,777.78	2009
36,777.78	2010
36,777.78	2011
36,777.78	2012

Anticipated Zero Interest Bid

Notice should be taken that the issuer has received a commitment from Nemaha-Marshall Rural Electric Cooperative to bid for and purchase the bonds at no interest

pursuant to a Rural Economic Development Loan and Grant Program through the United States Department of Agriculture.

Payment of Principal and Interest

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds, and the principal of the bonds will be payable upon surrender at the paying agent's principal office in the City of Topeka, Kansas. Interest will be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon will constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 20, 2003, to such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Jonathan P. Small, Chartered, Topeka, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds.

Financial Matters

The city's 2002 equalized assessed tangible valuation for computation of bonded debt limitations is \$17,484,374. The city's outstanding general obligation bonded indebtedness, as of the date hereof, totals the principal amount of \$1,597,000, which does not include the bonds described herein and does not include \$569,150 principal amount in temporary notes, of which \$332,500 will be paid off in part from the proceeds of the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form, all of which may be obtained from the city clerk at the address and telephone number shown below.

Dated May 1, 2003.

Paula Holle, MMC, City Clerk
209 N. Eighth St.
Marysville, KS 66508
(785) 562-5331
Fax (785) 562-2449

Doc. No. 029256

(Published in the Kansas Register May 1, 2003.)

**Statutory Notice of Bond Sale
City of Overland Park, Kansas
\$2,455,000*
Internal Improvement Refunding Bonds
Series 2003
(General obligations payable
from unlimited ad valorem taxes)**

Sealed and Electronic Bids

Sealed bids, submitted in a sealed envelope marked "Bid for Series 2003 Bonds," will be received by the undersigned director of finance, budget and administration of the City of Overland Park, Kansas, at City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212, until noon Monday, May 12, 2003, for the purchase of all of the city's \$2,455,000* principal amount of Internal Improvement Refunding Bonds, Series 2003. Electronic bids for all of the Series 2003 Bonds will only be accepted through Bid-comp/Parity (PARITY) electronic bid submission system. The city assumes no responsibility or liability for bids submitted through PARITY. If any provisions in this statutory notice of bond sale conflict with information provided by PARITY, this statutory notice of bond sale will control. Further information about PARITY, including any fee charged and registration requirements, may be obtained from PARITY, 40 W. 23rd St., 5th Floor, New York, NY 10010, Customer Support, (212) 404-8102.

All bids will be publicly opened at the time set forth above and will be considered and acted upon by the city council of the city at a special meeting of the city council scheduled for 7:30 p.m. Monday, May 12, 2003. No bid of less than 99.50 percent of the principal amount of the Series 2003 Bonds and accrued interest thereon to the date of delivery will be considered. No oral, telephone, telefax or auction bids for the Series 2003 Bonds will be taken by the city. Arrangements may be made with the city's financial advisor, Evensen Dodge, Inc., 650 Third Ave. South, Suite 1800, Minneapolis, MN 55402, (612) 338-3535, Attention: Heather Casperson, to deliver a sealed bid for the Series 2003 Bonds to the city.

Bond Details

The Series 2003 Bonds will be issued in book entry form in the denomination of \$5,000 or any integral multiple thereof; will be dated June 1, 2003; will be issued in the principal amount of \$2,455,000*; and will become due serially on September 1 in each of the years as follows:

Maturity Schedule

Maturity September 1	Principal Amount
2004	\$965,000
2005	935,000
2006	555,000

The Series 2003 Bonds will become due without option of prior payment.

The Series 2003 Bonds are valid and binding general obligations of the city payable in part as to both principal and interest from special assessments levied upon the property benefited by the construction of certain of the improvements and, if not so paid, from ad valorem taxes

that may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city, and payable in part from ad valorem taxes that may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city. The full faith, credit and resources of the city are irrevocably pledged for the prompt payment of the principal of and interest on the Series 2003 Bonds as the same become due.

The Series 2003 Bonds will bear interest from their date at rates to be determined when the Series 2003 Bonds are sold as provided herein and in the notice of bond sale, which interest will be payable semiannually on September 1 and March 1 in each year, commencing September 1, 2003.

No rate of interest may be bid that exceeds the daily yield for the 10-year treasury bonds published by The Bond Buyer in New York, New York, on May 5, 2003, plus 3 percent.

Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check or financial surety bond in the amount of \$49,100 must accompany each bid for the Series 2003 Bonds.

Costs

The city will pay the cost of printing the Series 2003 Bonds and the expense of all legal services, including the opinion of McDowell, Rice, Smith & Gaar, a Professional Corporation, bond counsel, approving the legality of the Series 2003 Bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Delivery and Payment

The Series 2003 Bonds will be delivered to the successful bidder properly prepared, executed and registered without cost within approximately 30 days after the date of their award in New York, New York.

Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the Series 2003 Bonds, the assessed valuation of the taxable tangible property within the city as of December 31, 2002, was \$2,456,494,952. The total general obligation bonded indebtedness, including temporary notes of the city and the Series 2003 Bonds, as of the date of the Series 2003 Bonds, is \$122,750,000.

Additional Information

A complete notice of bond sale, preliminary official statement and bid form approved by the city will be mailed to all interested parties. Additional information regarding the Series 2003 Bonds may be obtained from the financial advisor, Evensen Dodge, Inc., 650 Third Ave. South, Suite 1800, Minneapolis, MN 55402, (612) 338-3535, Attention: Heather Casperson; and from the City of Overland Park, Kansas, 8500 Santa Fe Drive, Overland Park, KS 66212, (913) 895-6152, Attention: Kristy Stallings. Bidders may be required to be qualified in a manner established by the city before submitting a bid. Arrangements may be made with the financial advisor, Evensen

(continued)

Dodge, Inc., to deliver a sealed bid for the Series 2003 Bonds to the city. The preliminary official statement for the Series 2003 Bonds may be viewed at the city's Web site, www.opkansas.org, and at the Web site of Evensen Dodge, Inc., www.evensendodge.com.

Dated April 21, 2003.

City of Overland Park, Kansas
 By: Kristy Stallings
 Director of Finance, Budget
 and Administration
 City Hall
 Overland Park, KS 66212

* The city reserves the right to increase or decrease the principal amount of the issue by \$45,000 in total or \$15,000 in any maturity after the bids have been received. If the principal amount is changed, the purchase price will be adjusted accordingly.

Doc. No. 029273

(Published in the Kansas Register May 1, 2003.)

Summary Notice of Bond Sale
\$3,995,000
Unified School District No. 288
Franklin County, Kansas
General Obligation Bonds

Bids

Bids for the purchase of \$3,995,000 principal amount of General Obligation Bonds of Unified School District No. 288, Franklin County, Kansas (the issuer), hereinafter described, will be received by the undersigned district clerk on behalf of the Board of Education of the issuer at its administrative offices, 3521 Ellis Road, Richmond, KS 66080, until 11:30 a.m. May 15, 2003. All bids will be publicly opened and read at said time and place and will be acted upon by the issuer immediately thereafter. No oral or auction bids will be considered. All bids will be in compliance with notice of bond sale and preliminary official statement. Bidders may be required to be qualified in a manner established by the issuer before submitting a bid.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 15, 2003, and will become due serially on September 1 in the years as follows (the bidder may elect any of the bonds maturing September 1, 2014, and thereafter to be designated as term bonds, which term bonds will be subject to mandatory redemption on the dates and in the principal amounts set forth below):

Year	Principal Amount
2005	\$ 50,000
2006	100,000
2007	110,000
2008	120,000
2009	130,000
2010	145,000
2011	155,000
2012	170,000

2013	185,000
2014	200,000
2015	215,000
2016	230,000
2017	250,000
2018	270,000
2019	290,000
2020	310,000
2021	330,000
2022	355,000
2023	380,000

The interest on the bonds shall be payable semiannually on March 1 and September 1, beginning March 1, 2004, and in lawful money of the United States (a) by check or draft of the paying agent by mailing to the registered owner thereof at the address appearing on the registration books of the issuer maintained by the bond registrar, or such other address as is furnished in writing by such registered owner to the bond registrar at the close of business on the 15th day preceding the next applicable interest payment date (the record dates), or (b) in the case of an interest payment to any registered owner of \$500,000 or more in aggregate principal amount of bonds, by electronic transfer to such registered owner upon written notice given to the paying agent by such registered owner, not less than 15 days prior to the record date for such interest, containing the electronic transfer instructions, including ABA routing number, and account number to which such registered owner wishes to have the electronic transfer directed.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States by check, draft or electronic transfer of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The issuer will pay for the fees of the bond registrar for registration and transfer of the bonds and also will pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, or otherwise, will be the responsibility of the bondholders.

Book-Entry Bonds; Securities Depository

The bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no beneficial owner will receive certificates representing their respective interests in the bonds, except in the event the bond registrar issues replacement bonds. It is anticipated that during the term of the bonds, the Securities Depository will make book-entry transfers among its participants and receive and transmit payment of principal of, premium, if any, and interest on the bonds to the participants until and unless the bond registrar authenticates and delivers replacement bonds.

Redemption of Bonds Prior to Maturity

At the option of the issuer, bonds maturing on September 1, 2014, and thereafter will be subject to redemption and payment prior to maturity on September 1, 2013, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the pay-

ing agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the issuer, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the bid shall be adjusted to reflect the lowest net interest cost to the issuer. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the issuer shall determine which bid, if any, shall be accepted, and its determination shall be final.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Robert J. Perry, Esq., Auburn, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Delivery and Payment

The issuer will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about June 3, 2003, through the facilities of the Depository Trust Company, New York, New York.

Good Faith Deposit

Each bid shall, at or prior to the time of the sale, be accompanied by a surety bond or a cashier's or certified check drawn on a bank located in the United States in the amount equal to 2 percent of the par value of the bonds payable to the order of the issuer to secure the issuer from any loss resulting from the failure of the bidder to comply with the terms of its bid. No interest will be paid upon the deposit made by the successful bidder.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the issuer is \$20,755,531 (this includes motor vehicles). The total general obligation bonded indebtedness of the issuer as of the date of the bonds, including the bonds, is \$4,090,000.

Dated April 28, 2003.

Unified School District No. 288
Franklin County, Kansas
Patty Sobba, Clerk
3521 Ellis Road
Richmond, KS 66080
(785) 869-3455
Fax (785) 869-2675

Doc. No. 029266

(Published in the Kansas Register May 1, 2003.)

**Summary Notice of Bond Sale
Franklin County, Kansas
\$835,000***

**General Obligation Bonds
(Taxable Under Federal Law), Series 2003
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated April 30, 2003, bids will be received by the county clerk of Franklin County, Kansas, on behalf of the Board of County Commissioners at the county clerk's office, 315 S. Main, Ottawa, KS 66067, until 10 a.m. May 12, 2003, for the purchase of \$835,000* principal amount of General Obligation Bonds (Taxable Under Federal Law), Series 2003. No bid of less than the entire par value of the bonds, except a discount of not greater than 1 percent of the par value of the bonds, and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2003, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2003	\$30,000
2004	35,000
2005	35,000
2006	35,000
2007	40,000
2008	40,000
2009	45,000
2010	45,000
2011	45,000
2012	50,000
2013	55,000
2014	55,000
2015	60,000
2016	60,000
2017	65,000
2018	70,000
2019	70,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning September 1, 2003 (the interest payment dates).

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$16,700.

(continued)

Delivery

The county will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 27, 2003, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$173,832,900. The total applicable general obligation indebtedness of the county as of the date of the bonds, including the bonds being sold, is \$3,104,027.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan Riley, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the county and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (785) 229-3410; or from bond counsel, Logan Riley, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated May 1, 2003.

Franklin County, Kansas
By Shari Perry
County Clerk
315 S. Main
Ottawa, KS 66067

*Subject to change.

Doc. No. 029281

(Published in the Kansas Register May 1, 2003.)

Summary Notice of Bond Sale
City of Fairway, Kansas
\$770,000*
General Obligation Refunding and
Improvement Bonds
Series 2003
(General obligations payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale, sealed and facsimile bids for the purchase of \$770,000* of General Obligation Refunding and Improvement Bonds, Series 2003, of the City of Fairway, Kansas, will be received by the city clerk at the address and fax number hereinafter set forth until 11 a.m. Monday, May 12, 2003, at which time such bids will be publicly read. No bid will be considered of less than 100.00 percent of the principal amount of the bonds and accrued interest to the date of delivery.

Bond Details

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof. Bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of

principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated May 15, 2004, and will become due annually on September 1, beginning September 1, 2003, in the years as follows:

Year	Principal Amount*
09/01/04	\$60,000
09/01/05	65,000
09/01/06	70,000
09/01/07	75,000
09/01/08	75,000
09/01/09	75,000
09/01/10	85,000
09/01/11	85,000
09/01/12	85,000
09/01/13	95,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2004. The Kansas State Treasurer, Topeka, Kansas, will be the bond paying agent and bond registrar for the bonds.

Redemption Prior to Maturity

The bonds will be subject to optional and mandatory redemption prior to maturity as provided in the notice of bond sale.

Good Faith Deposit

Each bid for the bonds shall be accompanied by a good faith check in the form of a cashier's or certified check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds.

Delivery

The city will pay for preparing the bonds. The city will deliver the bonds in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or about May 28, 2003.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations is \$66,519,600. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds but excluding the bonds to be refunded with the proceeds of the bonds, and excluding the temporary notes to be retired with the proceeds of the bonds, is \$770,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, will accompany the bonds and will be delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Kathi Robards, city clerk, (913) 262-0350; or from bond counsel, Gilmore & Bell, P.C., 2405 Grand Blvd., Suite 1100, Kansas City, MO 64108, (816) 221-1000.

Dated April 14, 2003.

City of Fairway, Kansas
 Kathi Robards
 City Clerk
 5252 Belinder Road
 Fairway, KS 66205
 Fax (913) 262-4607

* Preliminary, subject to change.

Doc. No. 029290

(Published in the Kansas Register May 1, 2003.)

Summary Notice of Bond Sale
City of Manhattan, Kansas
\$3,600,000
General Obligation Bonds, Series 2003-A
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated April 15, 2003, sealed, facsimile and electronic bids will be received on behalf of the director of finance of the City of Manhattan, Kansas (the issuer), in the case of sealed bids, at City Hall, 1101 Poyntz Ave., Manhattan, KS 66502; in the case of facsimile bids, at (651) 223-3002; and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 2 p.m. May 20, 2003, for the purchase of \$3,600,000 principal amount of General Obligation Bonds, Series 2003-A. No bid of less than \$3,560,400 and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 2003, and will become due on November 1 in the years as follows:

Year	Principal Amount
2004	\$315,000
2005	315,000
2006	315,000
2007	315,000
2008	310,000
2009	310,000
2010	315,000
2011	310,000
2012	310,000
2013	310,000
2014	45,000
2015	45,000
2016	50,000
2017	50,000
2018	50,000
2019	55,000
2020	55,000
2021	60,000
2022	65,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning November 1, 2003.

Book-Entry-Only System

The bonds will be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$72,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 9, 2003, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$274,366,160. The total general obligation indebtedness of the issuer after delivery of the bonds, including \$670,000 principal amount of temporary notes of the issuer to be sold on the same date as the bonds, but excluding temporary notes to be retired in conjunction therewith, is \$63,990,000. Temporary notes in the principal amount of \$4,125,000 will be retired out of proceeds of the bonds and other available funds.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Debra Daily, the assistant director of finance, (785) 587-2465 or daily@ci.manhattan.ks.us; or from the financial advisor, Springsted Incorporated, Attention: David MacGillivray, (651) 223-3068 or dmactilivray@springsted.com.

Dated April 15, 2003.

City of Manhattan, Kansas

Doc. No. 029282

State of Kansas

Secretary of State

Certification of New State Laws

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh
Secretary of State

(Published in the Kansas Register May 1, 2003.)

HOUSE BILL No. 2374

AN ACT concerning public utilities;
relating to procedures to recover certain security costs.

Be it enacted by the Legislature of the State of Kansas:

Section 1. This act may be cited as the Kansas energy security act.

Sec. 2. The legislature finds that:

(a) Actual and threatened acts of terrorism directed at the American people make it clear that government must take enhanced measures to protect its citizens and provide for greater security of services essential to the public welfare.

(b) The threat of terrorism extends to utilities that provide basic services upon which individual citizens, schools, hospitals, nursing homes, day care centers, businesses and industry rely.

(c) Under these extraordinary circumstances, practices and procedures that would otherwise apply in regulatory proceedings shall not hamper the government in performing its most basic purposes: Providing for the security of its citizens and protecting the public welfare.

Sec. 3. (a) In adopting procedures applicable in proceedings pursuant to K.S.A. 66-1233, and amendments thereto, the state corporation commission shall provide for:

(1) Confidentiality of information so that the amount of recovery requested, the amount of recovery allowed, the method of cost recovery requested and the method of cost recovery allowed is not disclosed;

(2) protective orders for all filings so that the citizens' utility ratepayer board may receive and review documents if the board intervenes;

(3) procedures to reflect rules of the United States nuclear regulatory commission or other regulatory bodies that govern the release of information and documentation which an applicant is required to submit to support the application or supply to the commission, commission staff or intervenors;

(4) the security cost recovery charge to be unidentifiable on customers' bills;

(5) the security cost recovery charge shall be allocated and added to all wholesale and retail rates and future contracts. Any contract existing on the effective date of this act, which does not specifically prohibit the addition of such charges, shall have such charges added;

(6) review of security-related filings in an expedited manner with reference only to security-related items to assure that the proposed items provide enhanced security;

(7) denial of any expenditure that the commission determines is not prudent or is not for security measures and approval of all other expenditures; and

(8) recovery of capital expenditures over a period equal to not more than ½ the usable lifetime of the capital investment.

(b) A determination by the commission of the prudence of an expenditure for security measures shall not be based on standard regulatory principles and methods of recovery and shall take fully into account the findings and intent of the legislature as stated in section 2, and amendments thereto.

(c) The provisions of this act and K.S.A. 66-1233, and amendments thereto, shall apply recovery of prudent expenditures for enhanced security incurred after September 11, 2001.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 1, 2003.)

SENATE BILL No. 64

AN ACT concerning tobacco; relating to the master settlement agreement; appeal bonds in certain litigation.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The appeal bond that an appellant in civil litigation under any legal theory, involving a signatory or a successor to a signatory of the master settlement agreement, as defined in K.S.A. 2002 Supp. 50-6a02, and amendments thereto, may be required to post to stay execution on a judgment during an appeal or discretionary review shall be set in accordance with existing law and court rules, except that in no case shall an appeal bond exceed \$25,000,000, regardless of the total value of the judgment.

(b) If it is proved by a preponderance of the evidence that the appellant for whom the bond has been limited pursuant to this section is intentionally dissipating or diverting assets outside of the ordinary course of its business for the purpose of avoiding payment of the judgment, the court shall enter such orders as are necessary to prevent the dissipation or diversion of assets.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 1, 2003.)

SENATE Substitute for HOUSE BILL No. 2208

AN ACT concerning tax increment financing and sales tax revenue bonds; relating to redevelopment of certain property located throughout the state; amending K.S.A. 12-1770a, 12-1774 and 74-8017 and K.S.A. 2002 Supp. 79-3620 and 79-3710 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 12-1770a is hereby amended to read as follows: 12-1770a. As used in this act, unless the context clearly shows otherwise:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Base year assessed valuation" means the assessed valuation of all real property within the boundaries of a redevelopment district on the date the redevelopment district was established.

(c) "Blighted area" means an area which:

(1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

(A) A substantial number of deteriorated or deteriorating structures;

(B) predominance of defective or inadequate street layout;

(C) unsanitary or unsafe conditions;

(D) deterioration of site improvements;

(E) tax or special assessment delinquency exceeding the fair market value of the real property;

(F) defective or unusual conditions of title including but not limited to cloudy or defective titles, multiple or unknown ownership interests to the property;

(G) improper subdivision or obsolete platting or land uses;

(H) the existence of conditions which endanger life or property by fire or other causes; or

(I) conditions which create economic obsolescence; or

(2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action; or

(3) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 *et seq.*, and amendments thereto.

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;
- (2) illegal use of individual structures;
- (3) the presence of structures below minimum code standards;
- (4) building abandonment;
- (5) excessive vacancies;
- (6) overcrowding of structures and community facilities; or
- (7) inadequate utilities and infrastructure.

(e) "De minimus" means an amount less than 15% of the land area within a redevelopment district.

(f) "Developer" means any person, firm, corporation, partnership or limited liability company, other than a city.

(g) "Eligible area" means a blighted area, conservation area, enterprise zone, historic theater or major tourism area or a major commercial entertainment and tourism area as determined by the secretary.

(h) "Enterprise zone" means an area within a city that was designated as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto, prior to its repeal and the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of such city.

(i) "Environmental increment" means the increment determined pursuant to subsection (b) of K.S.A. 12-1771a, and amendments thereto.

(j) "Environmentally contaminated area" means an area of land having contaminated groundwater or soil which is deemed environmentally contaminated by the department of health and environment or the United States environmental protection agency.

(k) "Feasibility study" means a study which shows whether a redevelopment or special bond project's benefits and tax increment revenue and other available revenues under K.S.A. 12-1774 (a)(1), and amendments thereto, are expected to exceed or be sufficient to pay for the redevelopment or special bond project costs and the effect, if any, the redevelopment or special bond project will have on any outstanding special obligation bonds as authorized pursuant to subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto.

(l) "Historic theater" means a building constructed prior to 1940 which was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation officer as eligible to be on the Kansas register of historic places or is a member of the Kansas historic theatre association.

(m) "Historic theater sales tax increment" means the amount of state and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within the historic theater that is in excess of the amount of such taxes collected prior to the designation of the building as a historic theater for purposes of this act.

(n) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(o) "Real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon.

(p) "Redevelopment project area" or "project area" means an area designated by a city within a redevelopment district.

(q) "Redevelopment project costs" means those costs necessary to implement a redevelopment plan, including, but not limited to costs incurred for:

- (1) Acquisition of property within the redevelopment project area;
- (2) payment of relocation assistance;
- (3) site preparation including utility relocations;
- (4) sanitary and storm sewers and lift stations;
- (5) drainage conduits, channels and levees and river walk canal facilities;
- (6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;
- (7) street light fixtures, connection and facilities;
- (8) underground gas, water, heating and electrical services and connections located within the public right-of-way;
- (9) sidewalks and pedestrian underpasses or overpasses;

(10) drives and driveway approaches located within the public right-of-way;

(11) water mains and extensions;

(12) plazas and arcades;

(13) parking facilities;

(14) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities; and

(15) all related expenses to redevelop and finance the redevelopment project.

Redevelopment project costs shall not include costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer, however, the "redevelopment project costs" shall include costs incurred in connection with the construction of buildings or other structures to be owned or leased to a developer which includes an auto race track facility or is in a redevelopment district including some or all of the land and buildings comprising a state mental institution closed pursuant to section 2 of chapter 219 of the 1995 Session Laws of Kansas.

(r) "Redevelopment district" means the specific area declared to be an eligible area in which the city may develop one or more redevelopment projects.

(s) "Redevelopment district plan" or "district plan" means the preliminary plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each redevelopment project area.

(t) "Redevelopment project" means the approved project to implement a project plan for the development of the established redevelopment district.

(u) "Redevelopment project plan" or "project plan" means the plan adopted by a municipality for the development of a redevelopment project or projects which conforms with K.S.A. 12-1772, and amendments thereto, in a redevelopment district.

(v) "Secretary" means the secretary of commerce and housing.

(w) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the district plan or project plan was approved.

(x) "Tax increment" means that amount of real property taxes collected from real property located within the redevelopment district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(y) "Taxing subdivision" means the county, city, unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district.

(z) "Special bond project" means a project with at least a \$50,000,000 capital investment and \$50,000,000 in projected gross annual sales revenues or for areas outside of metropolitan statistical areas, as defined by the federal office of management and budget as of June 30, 1999, the secretary finds the project meets the requirements of subsection (g) and would be of regional or statewide importance, but a "special bond project" shall not include a project for a gambling casino.

(aa) "Marketing study" means a study conducted to examine the impact of the redevelopment or special bond project upon similar businesses in the projected market area.

(bb) "Projected market area" means any area within the state in which the redevelopment or special bond project is projected to have a substantial fiscal or market impact upon businesses in such area.

(cc) "River walk canal facilities" means a canal and related water features located adjacent to a river which flows through a major commercial entertainment and tourism area and facilities related or contiguous thereto, including, but not limited to pedestrian walkways and promenades, landscaping and parking facilities.

(dd) "Commence work" means the manifest commencement of actual operations on the development site, such as, erecting a building, excavating the ground to lay a foundation or a basement or work of like description which a person with reasonable diligence can see and recognize as being done with the intention and purpose to continue work until the project is completed.

(ee) "Major commercial entertainment and tourism area" shall include, but not be limited to, a major multi-sport athletic complex.

(ff) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams,

(continued)

the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments.

New Sec. 2. (a) The governing body of a city may establish one or more special bond projects in any area within such city. The special bond projects shall be eligible for financing by special obligation bonds payable from revenues described by subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto. Each special bond project shall first be approved by the secretary. The secretary may approve a special bond project located in a redevelopment district established by a city prior to the effective date of this act. A special bond project shall not be granted to any business that proposes to relocate its business from another area of the state into such city, for the purpose of consideration for a special bond project and shall not receive any of the benefits provided by K.S.A. 12-1770 *et seq.*, and amendments thereto. A special bond project shall not be approved by the secretary if the marketing study required by section 3, and amendments thereto, indicates a substantial negative impact upon businesses in the project market area or the granting of such project would cause a default in the payment of any outstanding special obligation bonds as authorized pursuant to subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto.

(b) The maximum maturity of special obligation bonds payable primarily from revenues described by subsection (a)(1)(D) of K.S.A. 12-1774, and amendments thereto, to finance special bond projects pursuant to this section shall not exceed 20 years.

(c) Any redevelopment project plan in a redevelopment district located in the city of Wichita that is eligible for benefits provided by K.S.A. 12-1774 *et seq.*, and amendments thereto, and includes an arena or arena-like structure shall be subject to approval by a vote by the citizens of Wichita at an election held for this purpose prior to approval by the secretary of commerce and housing.

New Sec. 3. (a) Any city proposing to undertake a special bond project established pursuant to section 2, and amendments thereto, shall prepare a project plan in consultation with the planning commission of the city. The project plan shall include:

(1) A summary of the feasibility study done as defined in K.S.A. 12-1770a, and amendments thereto, which will be an open record;

(2) a summary of the marketing study done as defined in K.S.A. 12-1770a, and amendments thereto, which will be an open record;

(3) a reference to the district plan established under K.S.A. 12-1771, and amendments thereto, that identifies the project area that is set forth in the project plan that is being considered;

(4) a description and map of the location of the facility that is the subject of the special bond project;

(5) the relocation assistance plan required by K.S.A. 12-1777, and amendments thereto;

(6) a detailed description of the buildings and facilities proposed to be constructed or improved; and

(7) any other information the governing body deems necessary to advise the public of the intent of the special bond project plan.

(b) *Resolution requirements.* A copy of the project plan shall be delivered to the board of county commissioners of the county and the board of education of any school district levying taxes on property subject to the special bond project. Upon a finding by the planning commission of the city that the project plan is consistent with the intent of the comprehensive plan for the development of the city, the governing body of the city shall adopt a resolution stating that the city is considering the adoption of the project plan. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the adoption of the project plan and fix the date, hour and place of such public hearing;

(2) describe the boundaries of the area subject to the special bond project; and

(3) state that the project plan, including a summary of the feasibility study, relocation assistance plan and financial guarantees of the prospective developer and a description and map of the area to be developed are available for inspection during regular office hours in the office of the city clerk.

(c) (1) *Hearing.* The date fixed for the public hearing shall be not less than 30 nor more than 70 days following the date of the adoption of the resolution fixing the date of the hearing.

(2) A copy of the resolution providing for the public hearing shall be by certified mail, return receipt requested sent to the board of county commissioners of the county and the board of education of any school

district levying taxes on property subject to the special bond project. The resolution shall be published once in the official city newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing. A description in sufficient detail to advise the reader of the particular proposed special bond project shall be published with the resolution.

(3) At the public hearing, a representative of the city shall present the city's proposed project plan. Following the presentation of the project plan, all interested persons shall be given an opportunity to be heard. The governing body for good cause shown may recess such hearing to a time and date certain, which shall be fixed in the presence of persons in attendance at the hearing.

(d) The public hearing records and feasibility study shall be subject to the open records act, K.S.A. 45-215, and amendments thereto.

(e) *Posthearing procedure.* Following the public hearing, the governing body may adopt the project plan by ordinance passed upon a $\frac{2}{3}$ vote.

(f) Any substantial changes as defined in K.S.A. 12-1770a, and amendments thereto, to the project plan as adopted shall be subject to a public hearing following publication of notice thereof at least twice in the official city newspaper.

(g) Any project shall be completed within 20 years from the date of the approval of the project plan. Kansas resident employees shall be given priority consideration for employment in construction projects located in a special bond project area.

(h) Any developer of a special bond project shall commence work on such project within two years from the date of adoption of the project plan. Should the developer fail to commence work on the special bond project within the two-year period, funding for such project shall cease and the developer of such project shall have one year to appeal to the secretary for reapproval of such project and the funding for it. Should the project be reapproved, the two-year period for commencement shall apply.

(i) The provisions of this act regarding special bond projects shall expire on and after July 1, 2007.

Sec. 4. K.S.A. 12-1774 is hereby amended to read as follows: 12-1774. (a) (1) Any city shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any redevelopment project in accordance with the provisions of this act. Such special obligation bonds shall be made payable, both as to principal and interest:

(A) From tax increments allocated to, and paid into a special fund of the city under the provisions of K.S.A. 12-1775, and amendments thereto;

(B) from revenues of the city derived from or held in connection with the undertaking and carrying out of any redevelopment project or projects under this act including historic theater sales tax increments and environmental increments;

(C) from any private sources, contributions or other financial assistance from the state or federal government;

(D) from a pledge of a portion or all of the revenue received by the city from transient guest, sales and use taxes collected pursuant to K.S.A. 12-1696 *et seq.*, 79-3601 *et seq.*, 79-3701 *et seq.* and 12-187 *et seq.*, and amendments thereto, and which are collected from taxpayers doing business within that portion of the city's redevelopment district established pursuant to K.S.A. 12-1771, and amendments thereto, occupied by a redevelopment project if there first is a finding by the secretary of commerce and housing that *based upon the feasibility study* the redevelopment project will create a major tourism area for the state or if the project is the restoration of a historic theater as defined in subsection (l) of K.S.A. 12-1770a, and amendments thereto, *or the project has been designated as a special bond project as defined in subsection (z) of K.S.A. 12-1770a, and amendments thereto;*

(E) (i) from a pledge of a portion or all increased revenue received by the city from franchise fees collected from utilities and other businesses using public right-of-way within the redevelopment district; (ii) from a pledge of a portion or all of the revenue received by the city from sales taxes collected pursuant to K.S.A. 12-187, and amendments thereto; or

(F) by any combination of these methods *except that for a project which has been designated as a special bond project as defined in subsection (z) of K.S.A. 12-1770a and amendments thereto, 100% of city and county sales taxes collected pursuant to K.S.A. 12-187, and amendments thereto, shall be pledged for such project except for amounts committed to other use by election of voters prior to the effective date of this act.*

The city may pledge such revenue to the repayment of such special obligation bonds prior to, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(2) Bonds issued under paragraph (1) of subsection (a) shall not be general obligations of the city, nor in any event shall they give rise to a charge against its general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in paragraph (1) of this subsection and such bonds shall so state on their face.

(3) Bonds issued under the provisions of paragraph (1) of this subsection shall be special obligations of the city and are declared to be negotiable instruments. They shall be executed by the mayor and clerk of the city and sealed with the corporate seal of the city. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city. All special obligation bonds issued pursuant to this act and all income or interest therefrom shall be exempt from all state taxes except inheritance taxes. Such special obligation bonds shall contain none of the recitals set forth in K.S.A. 10-112, and amendments thereto. Such special obligation bonds shall, however, contain the following recitals, viz., the authority under which such special obligation bonds are issued, they are in conformity with the provisions, restrictions and limitations thereof, and that such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in paragraph (1) of this subsection.

(b) (1) Subject to the provisions of paragraph (2) of this subsection, any city shall have the power to issue full faith and credit tax increment bonds to finance the undertaking of any redevelopment project in accordance with the provisions of K.S.A. 12-1770 *et seq.*, and amendments thereto other than a project that will create a major tourism area or result in the renovation of an historic theater. Such full faith and credit tax increment bonds shall be made payable, both as to principal and interest: (A) From the revenue sources identified in paragraph (1)(A), (B), (C), (D) and (E) of subsection (a) or by any combination of these sources; and (B) subject to the provisions of paragraph (2) of this subsection, from a pledge of the city's full faith and credit to use its ad valorem taxing authority for repayment thereof in the event all other authorized sources of revenue are not sufficient.

(2) Except as provided in paragraph (3) of this subsection, before the governing body of any city proposes to issue full faith and credit tax increment bonds as authorized by this subsection, the feasibility study required by K.S.A. 12-1772, and amendments thereto, shall demonstrate that the benefits derived from the project will exceed the cost and that the income therefrom will be sufficient to pay the costs of the project. No full faith and credit tax increment bonds shall be issued unless the governing body states in the resolution required by K.S.A. 12-1772, and amendments thereto, that it may issue such bonds to finance the proposed redevelopment project. The governing body may issue the bonds unless within 60 days following the date of the public hearing on the proposed project plan a protest petition signed by 3% of the qualified voters of the city is filed with the city clerk in accordance with the provisions of K.S.A. 25-3601 *et seq.*, and amendments thereto. If a sufficient petition is filed, no full faith and credit tax increment bonds shall be issued until the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds in accordance with K.S.A. 12-1774, and amendments thereto. No such election shall be held in the event the board of county commissioners or the board of education determines, as provided in K.S.A. 12-1771, and amendments thereto, that the proposed redevelopment district will have an adverse effect on the county or school district.

(3) As an alternative to paragraph (2) of this subsection, any city which adopts a project plan but does not state its intent to issue full faith and credit tax increment bonds in the resolution required by K.S.A. 12-1772, and amendments thereto, and has not acquired property in the redevelopment project area may issue full faith and credit tax increment bonds if the governing body of the city adopts a resolution stating its intent to issue the bonds and the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds pursuant to paragraph (1) of subsection (a). Any project plan adopted by

a city prior to the effective date of this act in accordance with K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any requirements of this act.

(4) During the progress of any redevelopment project in which the redevelopment project costs will be financed, in whole or in part, with the proceeds of full faith and credit tax increment bonds, the city may issue temporary notes in the manner provided in K.S.A. 10-123, and amendments thereto, to pay the redevelopment project costs for the project. Such temporary notes shall not be issued and the city shall not acquire property in the redevelopment project area until the requirements of paragraph (2) or (3) of this subsection, whichever is applicable, have been met.

(5) Full faith and credit tax increment bonds issued under this subsection shall be general obligations of the city and are declared to be negotiable instruments. They shall be issued in accordance with the general bond law. All such bonds and all income or interest therefrom shall be exempt from all state taxes except inheritance taxes. The amount of the full faith and credit tax increment bonds issued and outstanding which exceeds 3% of the assessed valuation of the city shall be within the bonded debt limit applicable to such city.

(6) Any city issuing special obligation bonds under the provisions of this act may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

(c) Any increment in ad valorem property taxes resulting from a redevelopment project in the established redevelopment district undertaken in accordance with the provisions of this act, shall be apportioned to a special fund for the payment of the redevelopment project costs, including the payment of principal and interest on any special obligation bonds or full faith and credit tax increment bonds issued to finance such project pursuant to this act and may be pledged to the payment of principal and interest on such bonds.

Sec. 5. K.S.A. 2002 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds including refunds authorized under the provisions of K.S.A. 79-3635, and amendments thereto. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) The state treasurer shall credit $\frac{5}{9}$ s of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{104}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.2%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) The state treasurer shall credit $\frac{1}{20}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5%, and deposited as provided by subsection (a),

(continued)

exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project or taxpayers doing business with such entity financed by a special bond project as defined in K.S.A. 12-1770a, and amendments thereto, that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a special bond project as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment or special bond project.

New Sec. 6. Notwithstanding any other provisions of law to the contrary, copies of all retailers' sales, use and transient guest tax returns filed with the director of the department of revenue in connection with a redevelopment project area or special bond project for which sales, use and transient guest tax revenues are pledged or otherwise intended to be used in whole or in part for the payment of bonds issued to finance redevelopment or special bond project costs in such redevelopment or special bond project area, shall be provided by the director of the department of revenue to the bond trustee, escrow agent or paying agent for such bonds upon the written request of the municipality within 15 days of receipt by the director of the department of revenue. The bond trustee, escrow agent or paying agent shall keep such retailers' sales, use and transient guest tax returns and the information contained therein confidential, but may use such information for purposes of allocating and depositing such sales, use and transient guest tax revenues in connection with the bonds used to finance redevelopment or special bond project costs in such redevelopment or special bond project area. Except as otherwise provided herein, the sales, use and transient guest tax returns received by the bond trustee, escrow agent or paying agent shall be subject to the provisions of K.S.A. 79-3614, and amendments thereto.

Sec. 7. K.S.A. 74-8017 is hereby amended to read as follows: 74-8017. On and after January 1, 2003, it shall be the duty of Kansas, Inc. to prepare an annual report evaluating the cost effectiveness of the various income tax credits and sales tax exemptions enacted to encourage economic development within this state and submit the same to the standing committees on taxation and economic development of the house and assessment and taxation and commerce of the senate at the beginning of each regular session of the legislature. The secretary of revenue, in consultation with the president of Kansas, Inc., shall develop a questionnaire on the utilization of state income tax credits and sales tax exemptions that shall be completed by all corporate taxpayers subject to state income tax that shall be submitted to the department of revenue concurrently with the filing of an annual corporate income tax return. The secretary shall provide the completed questionnaires to Kansas, Inc. for use in the preparation of such annual report. The questionnaire shall require respondents to indicate utilization of the following credits and exemptions:

(a) Income tax credits authorized under the provisions of the job expansion and investment credit act of 1976 and acts amendatory thereof and supplemental thereto;

(b) income tax credits for expenditures in research and development activities authorized by K.S.A. 79-32,182, and amendments thereto;

(c) income and financial institutions privilege tax credits for cash investment in stock of Kansas Venture Capital, Inc. authorized by K.S.A. 74-8205 and 74-8206, and amendments thereto;

(d) income tax credits for cash investment in certified Kansas venture capital companies authorized by K.S.A. 74-8304, and amendments thereto;

(e) income tax credits for cash investment in certified local seed capital pools authorized by K.S.A. 74-8401, and amendments thereto;

(f) income tax credits for investment in the training and education of qualified firms' employees authorized by K.S.A. 74-50,132, and amendments thereto;

(g) sales tax exemptions for property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business, or retail business meeting the requirements of K.S.A. 74-50,115, and amendments thereto, and machinery and equip-

ment for installation at such business or retail business authorized by subsection (cc) of K.S.A. 79-3606, and amendments thereto; ~~and~~

(h) sales tax exemptions for machinery and equipment used directly and primarily for the purposes of manufacturing, assembling, processing, finishing, storing, warehousing or distributing articles of tangible personal property in this state intended for resale by a manufacturing or processing plant or facility or a storage, warehousing or distribution facility. The secretary of revenue shall provide the completed questionnaires and copies of sales tax exemption certificates to Kansas, Inc. for the preparation of such report; and

(i) special obligation bonds authorized by K.S.A. 12-1774, and amendments thereto.

Sec. 8. K.S.A. 2002 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{104}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.2%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) The state treasurer shall credit $\frac{1}{20}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by subsection (d) of K.S.A. 79-3620, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in subsection (z) of K.S.A. 12-1770a, and amendments thereto.

Sec. 9. K.S.A. 12-1770a, 12-1774 and 74-8017 and K.S.A. 2002 Supp. 79-3620 and 79-3710 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 1, 2003.)

HOUSE BILL No. 2121

AN ACT concerning crimes, criminal procedure and punishment; amending K.S.A. 21-3836 and K.S.A. 2002 Supp. 22-4529, 22-4902, 22-4903, 22-4904 and 22-4905 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 21-3836 is hereby amended to read as follows: 21-3836. (a) Any pretrial release of any criminal defendant, whether on bail or under another form of recognizance, shall be considered as a matter of law to include a condition that the defendant will not commit, cause to be committed or knowingly permit to be committed, on the defendant's behalf, any violation of this act. Willful violation of that condition is subject to the sanction provided by subsection (c) of K.S.A. 21-3835, *and amendments thereto*, whether or not the defendant was the subject of an order under K.S.A. 21-3834, *and amendments thereto*.

(b) Any receipt for any bail or bond given by any court, or by any surety or bondsman and any written promise to appear on one's own recognizance shall contain notice of the provisions of subsection (a) in a conspicuous location.

(c) *Any pretrial release of any criminal defendant whether on bail or under another form of recognizance who requests and is entitled to the assistance of counsel under the provisions of K.S.A. 22-4503, and amendments thereto, shall be considered as a matter of law to include a condition that the defendant shall pay the application fee prescribed by K.S.A. 2002 Supp. 22-4529, and amendments thereto, and the failure to pay such fee shall constitute a violation of this act. Willful violation of such condition is subject to the sanction provided by subsection (c) of K.S.A. 21-3835, and amendments thereto, whether or not the defendant was the subject of an order under K.S.A. 21-3834, and amendments thereto.*

Sec. 2. K.S.A. 2002 Supp. 22-4529 is hereby amended to read as follows: 22-4529. ~~The court may impose an administrative fee in the amount of \$35 against~~ Any defendant entitled to counsel pursuant to K.S.A. 22-4503, and amendments thereto *shall pay an application fee in the amount of \$50 for the period commencing on the effective date of this act and ending on June 30, 2004, and the amount of \$100 on or after July 1, 2004, to the clerk of the district court.* If it appears to the satisfaction of the court that payment of the ~~administrative application fee~~ will impose manifest hardship on the defendant, the court may waive payment of all or part of the ~~administrative application fee~~. All moneys received pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the indigents' defense services fund. If the defendant is acquitted or the case is dismissed, any ~~administrative application fee~~ paid pursuant to this section shall be remitted to the defendant. ~~The provisions of this section shall take effect on and after July 1, 1997.~~

Sec. 3. On and after July 1, 2003, K.S.A. 2002 Supp. 22-4902 is hereby amended to read as follows: 22-4902. As used in this act, unless the context otherwise requires:

- (a) "Offender" means: (1) A sex offender as defined in subsection (b);
- (2) a violent offender as defined in subsection (d);
- (3) a sexually violent predator as defined in subsection (f);
- (4) any person who, on and after the effective date of this act, is convicted of any of the following crimes when the victim is less than 18 years of age:
 - (A) Kidnapping as defined in K.S.A. 21-3420 and amendments thereto, except by a parent;
 - (B) aggravated kidnapping as defined in K.S.A. 21-3421 and amendments thereto; or
 - (C) criminal restraint as defined in K.S.A. 21-3424 and amendments thereto, except by a parent;
- (5) any person convicted of any of the following criminal sexual conduct if one of the parties involved is less than 18 years of age:
 - (A) Adultery as defined by K.S.A. 21-3507, and amendments thereto;
 - (B) criminal sodomy as defined by subsection (a)(1) of K.S.A. 21-3505, and amendments thereto;
 - (C) promoting prostitution as defined by K.S.A. 21-3513, and amendments thereto;
 - (D) patronizing a prostitute as defined by K.S.A. 21-3515, and amendments thereto;

(E) lewd and lascivious behavior as defined by K.S.A. 21-3508, and amendments thereto; or

(F) unlawful sexual relations as defined by K.S.A. 21-3520, and amendments thereto;

(6) any person ~~who is a resident of this state~~ who has been required to register under any federal, military or other state's law *or is otherwise required to be registered;*

(7) any person who has been convicted of an offense in effect at any time prior to the effective date of this act, that is comparable to any crime defined in subsection (4) or (5), or any federal, military or other state conviction for an offense that under the laws of this state would be an offense defined in subsection (4) or (5); or

(8) any person who has been convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in subsection (4) or (5).

Convictions which result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this section. A conviction from another state shall constitute a conviction for purposes of this section.

(b) "Sex offender" includes any person who, after the effective date of this act, is convicted of any sexually violent crime set forth in subsection (c) or is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime set forth in subsection (c).

(c) "Sexually violent crime" means:

- (1) Rape as defined in K.S.A. 21-3502 and amendments thereto;
 - (2) indecent liberties with a child as defined in K.S.A. 21-3503 and amendments thereto;
 - (3) aggravated indecent liberties with a child as defined in K.S.A. 21-3504 and amendments thereto;
 - (4) criminal sodomy as defined in subsection (a)(2) and (a)(3) of K.S.A. 21-3505 and amendments thereto;
 - (5) aggravated criminal sodomy as defined in K.S.A. 21-3506 and amendments thereto;
 - (6) indecent solicitation of a child as defined by K.S.A. 21-3510 and amendments thereto;
 - (7) aggravated indecent solicitation of a child as defined by K.S.A. 21-3511 and amendments thereto;
 - (8) sexual exploitation of a child as defined by K.S.A. 21-3516 and amendments thereto;
 - (9) sexual battery as defined by K.S.A. 21-3517 and amendments thereto;
 - (10) aggravated sexual battery as defined by K.S.A. 21-3518 and amendments thereto;
 - (11) aggravated incest as defined by K.S.A. 21-3603 and amendments thereto; or
 - (12) any conviction for an offense in effect at any time prior to the effective date of this act, that is comparable to a sexually violent crime as defined in subparagraphs (1) through (11), or any federal, military or other state conviction for an offense that under the laws of this state would be a sexually violent crime as defined in this section;
 - (13) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of a sexually violent crime, as defined in this section; or
 - (14) any act which at the time of sentencing for the offense has been determined beyond a reasonable doubt to have been sexually motivated. As used in this subparagraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.
- (d) "Violent offender" includes any person who, after the effective date of this act, is convicted of any of the following crimes:
- (1) Capital murder as defined by K.S.A. 21-3439 and amendments thereto;
 - (2) murder in the first degree as defined by K.S.A. 21-3401 and amendments thereto;
 - (3) murder in the second degree as defined by K.S.A. 21-3402 and amendments thereto;
 - (4) voluntary manslaughter as defined by K.S.A. 21-3403 and amendments thereto;
 - (5) involuntary manslaughter as defined by K.S.A. 21-3404 and amendments thereto; or

(continued)

(6) any conviction for an offense in effect at any time prior to the effective date of this act, that is comparable to any crime defined in this subsection, or any federal, military or other state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(7) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in this subsection.

(e) "Law enforcement agency having jurisdiction" means the sheriff of the county in which the offender expects to reside upon the offender's discharge, parole or release.

(f) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 *et seq.* and amendments thereto.

(g) "Nonresident student or worker" includes any offender who crosses into the state or county for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year, for the purposes of employment, with or without compensation, or to attend school as a student.

(h) "Aggravated offenses" means engaging in sexual acts involving penetration with victims of any age through the use of force or the threat of serious violence, or engaging in sexual acts involving penetration with victims less than 14 years of age, and includes the following offenses:

(1) Rape as defined in subsection (a)(1)(A) and subsection (a)(2) of K.S.A. 2002 Supp. 21-3502, and amendments thereto;

(2) aggravated criminal sodomy as defined in subsection (a)(1) and subsection (a)(3)(A) of K.S.A. 21-3506, and amendments thereto; and

(3) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in this subsection.

(i) "Institution of higher education" means any post-secondary school under the supervision of the Kansas board of regents.

Sec. 4. On and after July 1, 2003, K.S.A. 2002 Supp. 22-4903 is hereby amended to read as follows: 22-4903. Any person who is required to register as provided in this act who violates any of the provisions of this act, including all duties set out in K.S.A. 22-4904 through K.S.A. 22-4907, and amendments thereto, is guilty of a severity level 10, nonperson felony.

Sec. 5. On and after July 1, 2003, K.S.A. 2002 Supp. 22-4904 is hereby amended to read as follows: 22-4904. (a) (1) Except as provided in subsection (a)(2), within 10 days of the offender coming into any county in which the offender resides or is temporarily domiciled for more than 10 days, the offender shall register with the sheriff of the county.

(2) Within 10 days of the offender coming into any county in which the offender resides or temporarily resides for more than 10 days, any offender who has provided the information and completed and signed the registration form as required in K.S.A. 22-4905 and amendments thereto, shall verify with the sheriff of the county that the sheriff has received such offender's information and registration form.

(3) Upon registration with a school or educational institution, a non-resident student attending such school or educational institution shall register with the sheriff within 10 days of the commencement of the school term.

(4) Upon commencement of employment, a nonresident worker shall register with the sheriff within 10 days of the commencement date of employment.

(5) For persons required to register as provided in subsections (a)(1), (a)(3) and (a)(4), the sheriff shall: (A) Explain the duty to register and the procedure for registration;

(B) obtain the information required for registration as provided in K.S.A. 22-4907 and amendments thereto;

(C) inform the offender that the offender must give written notice of any change of address within 10 days of a change in residence to the law enforcement agency where last registered and the Kansas bureau of investigation;

(D) inform the nonresident student offender that the offender must give written notice to the sheriff and the Kansas bureau of investigation of any change or termination of attendance at the school or educational institution the offender is attending, within 10 days of such change or termination;

(E) inform the nonresident worker offender that the offender must give written notice to the sheriff and the Kansas bureau of investigation of any termination of employment at the offender's place of employment, within 10 days of such termination;

(F) inform the offender that if the offender changes residence to another state, the offender must inform the law enforcement agency where last registered and the Kansas bureau of investigation of such change in residence and must register in the new state within 10 days of such change in residence;

(G) inform the offender that the offender must also register in any state or county where the offender is employed, carries on a vocation or is a student; ~~and~~

(H) *inform the offender that if the offender expects to or subsequently becomes enrolled in any institution of higher education in the state of Kansas on a full-time or part-time basis or have any full-time or part-time employment at an institution of higher education in the state of Kansas, with or without compensation, for more than 14 days, or for an aggregate period exceeding 30 days in one calendar year, the offender must provide written notice to the Kansas bureau of investigation within 10 days upon commencement of enrollment or employment;*

(I) *inform the offender that if there is any change or termination in attendance or employment at an institution of higher education, the offender must provide written notice to the Kansas bureau of investigation within 10 days of the change or termination; and*

(J) require the offender to read and sign the registration form which shall include a statement that the requirements provided in this subsection have been explained to the offender.

(6) Such sheriff, within three days of receipt of the initial registration shall forward this information to the Kansas bureau of investigation.

(7) Notwithstanding any other provision of law, if a diversionary agreement or probation order, either adult or juvenile, or a juvenile offender sentencing order, requires registration under the Kansas offender registration act then all provisions of that act shall apply, except that the term of registration shall be controlled by such diversionary agreement, probation order or juvenile offender sentencing order.

(b) (1) If any person required to register as provided in this act changes the address of the person's residence, the offender, within 10 days, shall inform in writing the Kansas bureau of investigation of the new address.

(2) After receipt of the change of address, the Kansas bureau of investigation shall forward this information to the law enforcement agency having jurisdiction of the new place of residence within 10 days of such receipt of the change of address.

(c) For any person required to register as provided in this act, every 90 days after the person's initial registration date during the period the person is required to register, the following applies:

(1) The Kansas bureau of investigation shall mail a nonforwardable verification form to the last reported address of the person.

(2) The person shall mail the verification form to the Kansas bureau of investigation within 10 days after receipt of the form.

(3) The verification form shall be signed by the person and shall provide the following information, as applicable, to the Kansas bureau of investigation: (A) Whether the person still resides at the address last reported; (B) whether the person still attends the school or educational institution last reported; (C) whether the person is still employed at the place of employment last reported; and (D) whether the person's vehicle registration information is the same as last reported.

(4) If the person fails to mail the verification form to the Kansas bureau of investigation within 10 days after receipt of the form, the person shall be in violation of the Kansas offender registration act.

(5) Nothing contained in this section shall be construed to alleviate any person required to register as provided in this act from meeting the requirements prescribed in subsections (a)(1), (a)(2) and (b)(1).

Sec. 6. On and after July 1, 2003, K.S.A. 2002 Supp. 22-4905 is hereby amended to read as follows: 22-4905. (a) (1) Any offender, who is discharged or paroled from a prison, hospital or other institution or facility involving a violation of any crime or confinement as provided in subsection (a), (b), (d) or (f) of K.S.A. 22-4902 and amendments thereto, prior to discharge, parole or release, shall be informed by the staff of the facility in which the offender was confined of the duty to register as provided in this act.

(2) (A) The staff of the facility shall: (i) Explain the duty to register and the procedure for registration;

(ii) obtain the information required for registration as provided in K.S.A. 22-4907 and amendments thereto;

(iii) inform the offender that the offender must give written notice of any change of address within 10 days of a change in residence to the

law enforcement agency where last registered and the Kansas bureau of investigation;

(iv) inform the offender that if the offender changes residence to another state, the offender must inform the law enforcement agency where last registered and the Kansas bureau of investigation of such change in residence and must register in the new state within 10 days of such change in residence;

(v) inform the offender that the offender must also register in any state or county where the offender is employed, carries on a vocation or is a student; ~~and~~

(vi) *inform the offender that if the offender expects to or subsequently becomes enrolled in any institution of higher education in the state of Kansas on a full-time or part-time basis or have any full-time or part-time employment at an institution of higher education in the state of Kansas, with or without compensation, for more than 14 days or an aggregate period exceeding 30 days in one calendar year, the offender must provide written notice to the Kansas bureau of investigation within 10 days upon commencement of enrollment or employment;*

(vii) *inform the offender that if there is any change or termination in attendance or employment, at an institution of higher education, the offender must provide written notice to the Kansas bureau of investigation within 10 days of the change or termination; and*

(viii) require the offender to read and sign the registration form which shall include a statement that the requirements provided in this subsection have been explained to the offender.

(B) The staff of the facility shall give one copy of the form to the person, within three days, and shall send two copies of the form provided by subsection (2)(A)(v) to the Kansas bureau of investigation, which shall then forward one copy to the law enforcement agency having jurisdiction where the person expects to reside upon discharge, parole or release. The Kansas bureau of investigation must immediately ensure that such information is entered in the state law enforcement record system. The Kansas bureau of investigation shall transmit such conviction data and fingerprints to the federal bureau of investigation.

(b) (1) Any offender who is released on probation, receives a suspended sentence, sentenced to community corrections or released on postrelease supervision because of the commission of any crime as provided in subsection (a), (b) or (d) of K.S.A. 22-4902 and amendments thereto, prior to release, shall be informed of the offenders duty to register as provided in this act by the court in which the offender is convicted.

(2) (A) The court shall: (i) Explain the duty to register and the procedure for registration;

(ii) obtain the information required for registration as provided in K.S.A. 22-4907 and amendments thereto;

(iii) inform the offender that the offender must give written notice of any change of address within 10 days of a change in residence to the law enforcement agency where last registered and the Kansas bureau of investigation;

(iv) inform the offender that if the offender changes residence to another state, the offender must inform the law enforcement agency where last registered and the Kansas bureau of investigation of such change in residence and must register in the new state within 10 days of such change in residence;

(v) inform the offender that the offender must also register in any state or county where the offender is employed, carries on a vocation or is a student; ~~and~~

(vi) *inform the offender that if the offender expects to or subsequently becomes enrolled in any institution of higher education in the state of Kansas on a full-time or part-time basis or have any full-time or part-time employment at an institution of higher education in the state of Kansas, with or without compensation, for more than 14 days or for an aggregate period exceeding 30 days in one calendar year, the offender must provide written notice to the Kansas bureau of investigation within 10 days upon commencement of enrollment or employment;*

(vii) *inform the offender that if there is any change or termination in attendance or employment at an institution of higher education, the offender must provide written notice to the Kansas bureau of investigation within 10 days of the change or termination; and*

(viii) require the offender to read and sign the registration form which shall include a statement that the requirements provided in this subsection have been explained to the offender.

(B) The court shall give one copy of the form to the person and, within three days, shall send two copies of the form provided by subsection (2)(A)(v) to the Kansas bureau of investigation which shall then for-

ward one copy to the law enforcement agency having jurisdiction where the person expects to reside upon release. The Kansas bureau of investigation must immediately ensure that such information is entered in the state law enforcement record system. The Kansas bureau of investigation shall transmit such conviction data and fingerprints to the federal bureau of investigation.

Sec. 7. On and after July 1, 2003, K.S.A. 2002 Supp. 22-4902, 22-4903, 22-4904 and 22-4905 are hereby repealed.

Sec. 8. K.S.A. 21-3836 and K.S.A. 2002 Supp. 22-4529 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 1, 2003.)

Senate Substitute for Substitute for HOUSE BILL No. 2219

AN ACT concerning classified stream segments; relating to recreational use; amending K.S.A. 2002 Supp. 82a-2001 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section. 1. K.S.A. 2002 Supp. 82a-2001 is hereby amended to read as follows: 82a-2001. As used in this act:

(a) (1) "Classified stream segments" shall include all stream segments that are waters of the state as defined in subsection (a) of K.S.A. 65-161, and amendments thereto, and waters described in subsection (d) of K.S.A. 65-171d, and amendments thereto, that:

(A) Are indicated on the federal environmental protection agency's reach file 1 (RF1) (1982) and have the most recent 10-year median flow of equal to or in excess of \pm one cubic foot per second based on data collected and evaluated by the United States geological survey or in the absence of stream segment flow data, calculations of flow conducted by extrapolation methods provided by the United States geological survey;

(B) have the most recent 10-year median flow of equal to or in excess of \pm one cubic foot per second based on data collected and evaluated by the United States geological survey or in the absence of stream segment flow data, calculations of flow conducted by extrapolation methods provided by the United States geological survey;

(C) are actually inhabited by threatened or endangered aquatic species listed in rules and regulations promulgated by the Kansas department of wildlife and parks or the United States fish and wildlife service;

(D) (i) scientific studies conducted by the department show that ~~pooling of water~~ during periods of ~~zero~~ flow ~~less than one cubic foot per second stream segments provides provide~~ important refuges for aquatic life and ~~permits~~ permit biological recolonization of intermittently flowing segments; and

(ii) a cost/benefit analysis conducted by the department and taking into account the economic and social impact of classifying the stream segment indicates that the benefits of classifying the stream segment outweigh the costs of classifying the stream segment, as consistent with the federal clean water act and federal regulations; or

(E) are at the point of discharge on the stream segment and downstream from such point where the department has issued a national pollutant discharge elimination system permit other than a permit for a confined feeding facility, as defined in K.S.A. 65-171d, and amendments thereto.

(2) Classified stream segments other than those described in subsection (a)(1)(E) shall not include ephemeral streams; grass, vegetative or other waterways; culverts; or ditches.

(3) Any definition of classified stream or "classified stream segment" in rules and regulations or law that is inconsistent with this definition is hereby declared null and void.

(b) "Department" means the department of health and environment.

(c) "Designated uses of classified stream segments" shall be defined as follows:

(1) "Agricultural water supply use" means the use of a classified stream segment for agricultural purposes, including the following:

(A) "Irrigation" means the withdrawal of water from a classified stream segment for application onto land; or

(B) "livestock watering" means the provision of water from a classified stream segment to livestock for consumption.

(continued)

(2) "Aquatic life support use" means the use of a classified stream segment for the maintenance of the ecological integrity of streams, lakes and wetlands, including the sustained growth and propagation of native aquatic life; naturalized, important, recreational aquatic life; and indigenous or migratory ~~semi-aquatic~~ *semiaquatic* or terrestrial wildlife directly or indirectly dependent on surface water for survival. Categories of aquatic life support use include:

(A) "Special aquatic life use waters" means classified stream segments that contain combinations of habitat types and indigenous biota not found commonly in the state, or classified stream segments that contain representative populations of threatened or endangered species, that are listed in rules and regulations promulgated by the Kansas department of wildlife and parks or the United States fish and wildlife service.

(B) "Expected aquatic life use waters" means classified stream segments containing habitat types and indigenous biota commonly found or expected in the state.

(C) "Restricted aquatic life use waters" means classified stream segments containing indigenous biota limited in abundance or diversity by the physical quality or availability of habitat, due to natural deficiencies or artificial modifications, compared to more suitable habitats in adjacent waters.

(3) "Domestic water supply" means the use of a classified stream segment, after appropriate treatment, for the production of potable water.

(4) "Food procurement use" means the use of a classified stream segment for the obtaining of edible forms of aquatic or ~~semi-aquatic~~ *semiaquatic* life for human consumption.

(5) "Groundwater recharge use" means the use of a classified stream segment for the replenishing of fresh or usable groundwater resources. This use may involve the infiltration and percolation of surface water through sediments and soils or the direct injection of surface water into underground aquifers.

(6) "Industrial water supply use" means the use of a classified stream segment for nonpotable purposes by industry, including withdrawals for cooling or process water.

(7) (A) "Recreational use" means:

(i) Primary contact recreational use is use of a classified stream segment for recreation during the period from April 1 through October 31 of each year, provided such classified stream segment ~~(a) by law or written permission of the landowner is open to and accessible by the public and~~ ~~(b)~~ is capable of supporting the recreational activities of swimming, skin diving, ~~water-skiing~~ *water skiing*, wind surfing, ~~boating~~ *kayaking* or mussel harvesting where the body is intended to be immersed in surface water to the extent that some inadvertent ingestion of water is probable.

(a) *Primary contact recreational use-Class A: Use of a classified stream segment for recreation during the period from April 1 through October 31 of each year, and the classified stream segment is a designated public swimming area. Water quality criterion for bacterial indicator organisms applied to Class A waters shall be set at an illness rate of eight or more per 1000 swimmers. The classified stream segment shall only be considered impaired for primary contact recreational use-Class A if the calculated geometric mean of at least five samples collected in separate 24-hour periods within a 30-day period exceeds the corresponding water quality criterion. The water quality criterion for primary contact recreational use-Class A waters during the period November 1 through March 31 of each year shall be equal to the criterion applied to secondary contact recreational use-Class A waters.*

(b) *Primary contact recreational use-Class B: Use of a classified stream segment for recreation, where moderate full body contact recreation is expected, during the period from April 1 through October 31 of each year, and the classified stream segment is by law or written permission of the landowner open to and accessible by the public. Water quality criterion for bacterial indicator organisms applied to Class B waters shall be set at an illness rate of 10 or more per 1000 swimmers. The classified stream segment shall only be considered impaired for primary contact recreational use-Class B if the calculated geometric mean of at least five samples collected in separate 24-hour periods within a 30-day period exceeds the corresponding water quality criterion. The water quality criterion for primary contact recreational use-Class B waters during the period November 1 through March 31 of each year shall be equal to the criterion applied to secondary contact recreational use-Class A waters.*

(c) *Primary contact recreational use-Class C: Use of a classified stream segment for recreation, where full body contact recreation is infrequent during the period from April 1 through October 31 of each year, and is not open to and accessible by the public under Kansas law and is*

capable of supporting the recreational activities of swimming, skin diving, water-skiing, wind surfing, boating, mussel harvesting, wading or fishing. Water quality criterion for bacterial indicator organisms applied to Class C waters shall be set at an illness rate of 12 or more per 1000 swimmers. The classified stream segment shall only be considered impaired for primary contact recreational use-Class C if the calculated geometric mean of at least five samples collected in separate 24-hour periods within a 30-day period exceeds the corresponding water quality criterion. The water quality criterion for primary contact recreational use-Class C waters during the period November 1 through March 31 of each year shall be equal to the criterion applied to secondary contact recreational use-Class B waters.

(ii) Secondary contact recreational use:
~~(a) is use of a classified stream segment for recreation, provided such classified stream segment (1) by law or by written permission of the landowner is open to and accessible by the public and (2) is capable of supporting the recreational activities of wading or fishing, canoeing, motor boating, rafting or other types of boating where the body is not intended to be immersed and where ingestion of surface water is not probable; or~~

(a) *Secondary contact recreational use-Class A: Use of a classified stream segment for recreation capable of supporting the recreational activities of wading or fishing and the classified stream segment is by law or written permission of the landowner open to and accessible by the public. Water quality criterion for bacterial indicator organisms applied to secondary contact recreational use-Class A waters shall be nine times the criterion applied to primary contact recreational use-Class B waters. The classified stream segment shall only be considered impaired for secondary contact recreational use-Class A if the calculated geometric mean of at least five samples collected in separate 24-hour periods within a 30-day period exceeds the corresponding water quality criterion.*

(b) *Secondary contact recreational use-Class B: Use of a classified stream segment for recreation capable of supporting the recreational activities of wading or fishing and the classified stream segment is not open to and accessible by the public under Kansas law. Water quality criterion for bacterial indicator organisms applied to secondary contact recreational use-Class B waters shall be nine times the criterion applied to primary contact recreational use-Class C use waters. The classified stream segment shall only be considered impaired for secondary contact recreational use-Class B if the calculated geometric mean of at least five samples collected in separate 24-hour periods within a 30-day period exceeds the corresponding water quality criterion.*

~~(b) is use of a classified stream segment for recreation, provided such classified stream segment (1) is not open to and accessible by the public under Kansas law and (2) is capable of supporting the recreational activities of swimming, skin diving, water-skiing, wind surfing, boating, mussel harvesting, wading or fishing.~~

(B) If opposite sides of a classified stream segment would have different designated recreational uses due to differences in public access, the designated use of the entire classified stream segment may be the higher attainable use, notwithstanding that such designation does not grant the public access to both sides of such segment.

(C) Recreational use designations shall not apply to stream segments where the natural, ephemeral, intermittent or low flow conditions or water levels prevent recreational activities.

(d) "Ephemeral stream" means streams that flow only in response to precipitation and whose channel is at all times above the water table.

(e) "Secretary" means the secretary of health and environment.

New Sec. 2. The secretary of health and environment shall develop and publish proposed rules and regulations to incorporate the provisions of this act, in accordance with the rules and regulations filing act, on or before July 1, 2003.

Sec. 3. K.S.A. 2002 Supp. 82a-2001 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 1, 2003.)

HOUSE BILL No. 2369

AN ACT concerning the state employee suggestion program; relating to employee suggestion bonus awards; amending K.S.A. 2002 Supp. 75-37,105 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2002 Supp. 75-37,105 is hereby amended to read as follows: 75-37,105. (a) (1) There is established an employee award and recognition program for state employees. Under this program monetary or non-monetary awards may be made to state employees. An appointing authority may implement a program of award and recognition for classified and unclassified employees or teams of employees for distinguished accomplishment, meritorious service, innovations, Kansas quality management, volunteerism or length of service.

(2) All awards and recognition provided under this section shall meet the conditions for a discretionary bonus set out in 29 C.F.R. 778.211.

(b) The total gross value of awards to any employee of the state during a single fiscal year shall not exceed \$3,500 except as provided in subsections (f) and (g). No award paid pursuant to this section during the fiscal year shall be compensation, within the meaning of K.S.A. 74-4901 *et seq.*, and amendments thereto, for any purpose under the Kansas public employees retirement system and shall not be subject to deductions for employee contributions thereunder. Each taxable award paid under this section shall be a discretionary bonus, as defined by 29 C.F.R. 778, and shall be in addition to the regular earnings to which that employee may be entitled or for which the employee may become eligible. Monetary awards are subject to taxes in accordance with federal internal revenue code regulations. The value of non-monetary awards shall be reported by state agencies in accordance with sections 74 and 132 of the federal internal revenue code and procedures prescribed by the director of accounts and reports.

(c) The award and recognition program shall be paid from moneys appropriated and available for operating expenditures of the state agency or from other funding sources as appropriated. In the case of employee suggestions, the award or recognition for each employee shall be paid or provided by the state agency that benefited from and implemented the suggestion.

(d) The regulations of the employee award board adopted pursuant to K.S.A. 75-37,108 are hereby revoked.

(e) The secretary of administration shall adopt rules and regulations that provide oversight and administrative review of agency award and recognition programs. The secretary of administration shall adopt rules and regulations to provide safeguards to preclude opportunities for abuse within the employee award and recognition program in each state agency and to ensure objective decision-making procedures in award and recognition determinations for all participating employees.

(f) (1) (A) Each state agency shall establish a state employee suggestion program through which state employees may submit suggestions for cost reductions in that agency through increased efficiencies or other economies or savings in the operations of the state agency.

(B) ~~The~~ Each employee making ~~the~~ a suggestion for cost reduction shall be paid ~~a one time employee suggestion bonus~~ a monetary employee award for innovation pursuant to subsection (a) of this section upon adoption of the suggestion by the agency. Such a monetary award for innovation shall be non-discretionary and shall be in the amount of 2.5% of the estimated cost reduction, as certified by the agency's chief fiscal officer and the agency appointing authority up to a maximum of \$3,500. Each employee making a suggestion for cost reduction shall also be paid an employee suggestion bonus in the amount of the difference between the amount of the innovation award received by the employee and 10% of the documented cost reduction during the first 12 months after implementation of the suggestion, as documented to the division of the budget, up to a maximum employee suggestion bonus of \$37,500. ~~The bonus shall be paid solely upon documented cost reductions in the first 12 months following the implementation of the suggestion as documented to the division of the budget.~~

(C) The agency shall retain 10% of the documented cost reduction. Savings achieved through this cost reduction shall be placed in the Kansas savings incentive account or fund for that agency. The remaining balance of the savings achieved through this cost reduction shall revert to the state general fund.

(2) Each state agency shall submit each suggestion it receives, together with the state agency's estimated cost reduction, if any, and dis-

pensation of the suggestion to the division of the budget. The director of the budget shall file copies with the director of the legislative research department, who shall report annually on the information to members of the legislative budget committee.

(g) (1) Salary bonus payments under the Kansas savings incentive program shall be made only for the following conditions:

(A) ~~Suggestions~~ Monetary innovation awards made under subsection (f) for which a 10% suggestion bonus had not been awarded, or

(B) for awards and recognition provided pursuant to subsection (a).

(2) The director of personnel services shall establish guidelines and limitations for bonus payments under the Kansas savings incentive program.

(h) Awards and incentives and other recognition pursuant to this section shall not be deemed in violation of K.S.A. 46-237a, and any amendments thereto.

(i) *The provisions of subsections (f) and (g) of this section shall expire on June 30, 2006.*

Sec. 2. K.S.A. 2002 Supp. 75-37,105 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 1, 2003.)

SENATE BILL No. 237

AN ACT relating to the redevelopment of property located within a federal enclave in Johnson and Labette counties; authorizing certain powers, including tax increment financing and sales tax revenue bonds; relating to projects of the Kansas development finance authority; amending K.S.A. 74-8902, 74-8905, 74-8921, 74-8922, 74-8923, 74-8924, 74-8925, 74-8927 and 74-8929 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. As used in sections 1 to 6, inclusive, and section 16, and amendments thereto, "board" or "board of county commissioners" means the board of county commissioners of Johnson county or the board of county commissioners of Labette county.

New Sec. 2. The board of county commissioners, by resolution, may establish a redevelopment district to cover and include all or any part or parts of the property located within a federal enclave in Johnson and Labette counties. Prior to establishing the redevelopment district, the board shall adopt a resolution stating its intent to create the district and the proposed adoption of a comprehensive master development plan for the property. The resolution of intent shall:

(a) Give notice that a public hearing will be held to consider adoption of the comprehensive master development plan for the property and establishment of the redevelopment district and stating the date, time and place for the hearing;

(b) describe the proposed boundaries of the redevelopment district; and

(c) describe the proposed master development plan and indicate where copies of the plan may be obtained and inspected. A copy of the resolution setting the public hearing shall be published once in the official county newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing, and copies of the resolution shall be sent by certified mail, return receipt requested, to each owner of land within the proposed district, to the board of education of any school district which does or would levy taxes on property in the proposed district, to the governing body of any city located within three miles of the boundaries of the proposed district, to the K-10 highway association, to the board of county commissioners of Douglas county and to the president of the Kansas development finance authority. Upon conclusion of the public hearing, the board, within 60 days, shall consider adoption of the comprehensive master development plan, and upon adoption of the plan, may establish the redevelopment district.

New Sec. 3. The board of county commissioners, with or without the establishment of a redevelopment district under section 1 and amendments thereto, on its own initiative or in cooperation with a redevelopment authority or one or more developers, may request and approve the establishment of a redevelopment district by the Kansas development finance authority pursuant to K.S.A. 74-8921 and 74-8922, and amendments thereto, covering all or any part or parts of property located within a federal enclave in Johnson and Labette counties. Upon establishment

(continued)

of such a redevelopment district, the Kansas development finance authority may enter into one or more intergovernmental agreements with the board of county commissioners to assist in the redevelopment of the property by the exercise of those powers contained in K.S.A. 74-8905, and amendments thereto, and in addition to those purposes stated in subsection (v) or K.S.A. 74-8904, and amendments thereto, the Kansas statewide projects development corporation may act to acquire and convey property and to issue bonds on behalf of Johnson or Labette county for redevelopment plan projects approved by the authority and Johnson or Labette county for the redevelopment district established to cover all or part of the property located within a federal enclave in Johnson and Labette counties.

New Sec. 4. (a) The board of county commissioners of Johnson county and the board of county commissioners of Labette county may create a redevelopment authority, which shall be composed and have such powers as the board may authorize and determine by resolution consistent with the provisions of this act.

(b) Any redevelopment authority created pursuant to subsection (a) of this section shall be composed of seven members appointed by the board of county commissioners, with at least three of the members being representatives of cities, townships or other local governmental entities located adjacent to the federal enclave property. Each member appointed to the redevelopment authority shall be a resident of the county and shall serve for a term consistent with the term of office for the board member making the appointment and until such member's successor is appointed and qualifies. In case of a vacancy in office, a member shall be appointed by the board in the same manner to fill the unexpired term.

Any member of the redevelopment authority may be removed by the board of county commissioners for the same cause justifying removal of any appointive officer.

Members of the redevelopment authority shall receive no compensation for their services but may be reimbursed for necessary expenses incurred in the performance of their duties.

(c) Upon creation, the redevelopment authority shall be a body corporate and politic, as quasi-municipal organization under the laws of this state, with the powers conferred by this act or by resolution of the board of county commissioners. In performing the duties authorized under this act, the redevelopment authority shall have the power:

- (1) To sue and be sued;
- (2) to receive for its lawful activities any contributions or moneys appropriated by the state, any city, county or other political subdivision or agency, or by the federal government or any agency or officer thereof from any other source;
- (3) to disburse funds for its lawful activities;
- (4) to enter into contracts;
- (5) to acquire by donation, purchase or lease land that is located within a federal enclave or land located within a redevelopment district established under this act;
- (6) to sell and convey real estate acquired under this act; and
- (7) to do and perform all other things provided by this act, or amendments thereto, or by resolution of the board of county commissioners and to have the powers conferred by this act or board resolution.

Powers conferred on the redevelopment authority may be exercised only with the approval of the board of county commissioners and all expenditures made by the redevelopment authority shall be within available resources.

(d) The redevelopment authority shall, at a minimum, perform the following duties:

- (1) Conduct meetings with representatives and officials of cities, counties, planning associations or commissions or similar entities or organizations to develop information and ensure that the full range of interests related to the redevelopment is considered;
- (2) review any comprehensive plan adopted for the property and develop recommendations for changes, if needed;
- (3) evaluate surrounding property uses, zoning regulations, and other land use factors and development recommendations to ensure compatibility;
- (4) evaluate the development potential and market feasibility for proposals and options for redevelopment of the property;
- (5) evaluate potential methods for the transfer, ownership and development of the property;
- (6) make recommendations to the board on proposals for the acquisition and financing of the property by the county;

- (7) conduct such other studies as the board may request or direct; and
- (8) present such studies, reports, recommendations and other information to the board.

Upon the establishment of a redevelopment district pursuant to section 2 or 3, and amendments thereto, the redevelopment authority shall perform the following additional duties as prescribed by the board:

- (1) Solicit and receive development proposals for all or parts of property;
- (2) evaluate development proposals received for all parts of the property and present the evaluation and recommendation to the board or to a zoning board as directed by the board;
- (3) coordinate with county officials or staff in negotiations with developers;
- (4) prepare recommendations to the board concerning financing or redevelopment or infrastructure for the property;
- (5) prepare recommendations for updates to the comprehensive master plan; and
- (6) perform such other studies and coordination as the board may request or direct.

In the event that the board of county commissioners determines that it is in the best interest of the county to acquire all or part of the enclave property for redevelopment purposes, then the redevelopment authority shall perform the following additional duties as prescribed by the board:

- (1) Act as the primary contact for developers who are interested in acquiring and developing land at the property;
 - (2) prepare and present marketing strategy for the property; and
 - (3) provide such other duties as the board may request or direct.
- (e) If created, the redevelopment authority may, upon approval of the board of county commissioners, acquire by negotiated sale, all or any part of the property located within a federal enclave in county, and in so doing, may enter into contracts for the payment of costs for such property, may incur debt and obligation secured by the property, and may sell the property to pay such obligations. The redevelopment authority may not incur any other debt, nor pledge any other resources.

The board of county commissioners shall approve such acquisition if the following conditions are satisfied:

- (1) The property is part of the sunflower army ammunition plant in Johnson county;
- (2) the property is transferred by deed without restrictions due to environmental contamination and with a covenant of transfer in compliance with the provisions of 42 U.S.C. 9620 *et seq.*, and amendments thereto, or the governor has executed a finding of suitability for early transfer in compliance with federal laws and regulations;
- (3) neither the state of Kansas through its subdivisions or agencies nor Johnson county has declared an intent to acquire the property for redevelopment purposes;
- (4) the acquisition will not require the redevelopment authority to finance the acquisition with resources other than that which is secured by the property itself;
- (5) the acquisition is made upon terms that expressly exclude any obligation of Johnson county or the state for the payment of any funds for the acquisition; and
- (6) the redevelopment authority has presented a feasibility study demonstrating that the costs of acquisition, including all required obligations for environmental remediation, can be paid and satisfied as and when due through the subdivision, selling and redevelopment of the property.

Upon acquisition of all or any part of the property, the redevelopment authority shall immediately request establishment of a redevelopment district under section 2 or 3, and amendments thereto, and all redevelopment or the property shall be in conformance with the comprehensive master plan and zoning and subdivision regulations adopted by the board of county commissioners.

(f) If, at any time after creating a redevelopment authority pursuant to this section, the board of county commissioners determines that the redevelopment authority is no longer needed or should otherwise be dissolved, then the board of county commissioners may, by resolution, dissolve and abolish the redevelopment authority. Thereafter, the board of county commissioners, for and on behalf of the county, shall assume and perform any on-going duties or powers of the authority, shall assume title to and possession of all property, real or personal, owned or held by the authority, and shall assume all debts, contracts and obligations lawfully incurred or entered into by the authority. The board of county commis-

sioners may, by subsequent resolution, reestablish a redevelopment authority under this section at any later time.

New Sec. 5. (a) Upon establishment of a redevelopment district pursuant to section 2, and amendments thereto, redevelopment within the district may be undertaken in one or more redevelopment projects, and any redevelopment project may be implemented in separate development stages. The developer proposing a redevelopment project within the district shall prepare a redevelopment project plan and submit it to the board or, if created, the redevelopment authority. The project plan shall include:

(1) a feasibility study, which shall be an open public record, showing that the benefits to the state and its political subdivisions derived from the project will exceed the costs and that the income therefrom will be sufficient to pay for the project;

(2) a comprehensive description of the project and an analysis of its compliance and compatibility with the comprehensive master development plan adopted by the county;

(3) a description and map of the area to be redeveloped;

(4) detailed description of the buildings and facilities proposed to be constructed or a completed, proposed development plan for the project prepared in compliance with the county's applicable zoning and subdivision regulations;

(5) a detailed plan for the financing of the redevelopment plan; and

(6) any other information that the board of county commissioners deems necessary to advise the public of the intent and content of the plan.

(b) Upon submission and receipt of the redevelopment project plan, the board, or, if applicable, the redevelopment authority, shall schedule a public hearing on the plan. The date fixed for the public hearing shall be not less than 30 nor more than 70 days following receipt of the plan. Copies of the proposed project plan shall be delivered to those persons and entities entitled to notice under section 2, and amendments thereto. Notice of the public hearing shall be included with the plan as delivered and shall also be published once each week for two consecutive weeks in the official county newspaper. The notice shall fix the date, time and place of the hearing and shall state where copies of the plan can be obtained or examined. Finally, if the board of county commissioners or, if applicable, the redevelopment authority has been requested or otherwise will consider to issue tax increment financing or other bonds or indebtedness to provide financial assistance for the redevelopment project, then the plan and notice shall include a summary of such financing.

(c) Following the public hearing, the board of county commissioners or, if applicable, the redevelopment authority, shall consider and may approve and adopt the project plan. Any redevelopment project approved under this act shall be completed within 20 years from the date of the project approval. Any substantial changes to the project plan as approved shall be considered in the same manner and pursuant to the same procedures as the initial project approval.

New Sec. 6. (a) The board of county commissioners shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any redevelopment project approved under this act.

(b) Any bonds issued by the county under this section shall be considered in like manner to bonds issuable by the Kansas development finance authority, under subsection (e) of K.S.A. 74-8905, and amendments thereto, and shall be payable, both as to principal and interest, in the manner provided by K.S.A. 74-8924, and amendments thereto. The board may designate any or all of the revenue sources authorized under K.S.A. 74-8924, and amendments thereto, which shall be used for payment of bonds issued under this section and may pledge such revenue to the repayment of such bonds prior to, simultaneously with or subsequent to the issuance of such bonds.

(c) The maximum maturity on bonds issued to finance projects pursuant to this act shall not exceed 20 years.

(d) The board may authorize the issuance of bonds payable from the increment in ad valorem property taxes resulting from any redevelopment project, and the board may divide the real property within the redevelopment district into separate redevelopment project areas. In that case, the bonds authorized may be issued for and payable from the property for the separate project areas within the district, and each separate project area shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(e) For purposes of this section and any bonds issued pursuant to K.S.A. 74-8925, and amendments thereto, the increment in ad valorem tax shall be determined using a base year assessed valuation as designated

by the county appraiser to be the valuation assessable on the real property located within the redevelopment district regardless of the status of the property as exempt due to ownership by the United States army.

(f) The board may approve a redevelopment project and issue bonds for such project and authorize only a specified percentage or amount of the tax increment realized from taxpayers in the redevelopment district for repayment or pledge of repayment for the costs of the redevelopment project. The county treasurer shall allocate the specified percentage or amount of the tax increment for the district and shall allocate the remainder for remittance in the same manner as other ad valorem taxes.

(g) The board may refund all or part of any special obligation bonds issued under the provisions of this act pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

Sec. 7. K.S.A. 74-8902 is hereby amended to read as follows: 74-8902. The following words or terms used in this act shall have the following meanings unless a different meaning clearly appears from the context:

(a) "Act" means the Kansas development finance authority act.

(b) "Authority" means the Kansas development finance authority created by K.S.A. 74-8903, and amendments thereto.

(c) "Agricultural business enterprises" means facilities supporting or utilized in the operation of farms, ranches and other agricultural, aquacultural or silvicultural commodity producers and services provided in conjunction with the foregoing. "Agricultural business enterprise" shall not include a swine production facility on agricultural land which is owned, acquired, obtained or leased by a corporation, limited liability company, limited partnership, corporate partnership or trust.

(d) "Agricultural land," "corporation," "corporate partnership," "limited liability company," "limited partnership," "swine production facility" and "trust" have the meanings ascribed pursuant to K.S.A. 2002 Supp. 17-5903, and amendments thereto.

(e) "Board of directors" means the board of directors of the authority created by K.S.A. 74-8903, and amendments thereto.

(f) "Bonds" means any bonds, notes, debentures, interim certificates, grant and revenue anticipation notes, interest in a lease, lease certificate of participation or other evidences of indebtedness, whether or not the interest on which is subject to federal income taxation, issued by the authority pursuant to this act.

(g) "Capital improvements" means any physical public betterment or improvement or any preliminary plans, studies or surveys relative thereto; land or rights in land, including, without limitations, leases, air rights, easements, rights-of-way or licenses; and any furnishings, machinery, vehicles, apparatus or equipment for any public betterment or improvement.

(h) "Construct" means to acquire or build, in whole or in part, in such manner and by such method as the authority shall determine to be in the public interest and necessary to accomplish the purposes of and authority set forth in this act.

(i) "Loans" means loans made for the purposes of financing any of the activities authorized within this act, including loans made to financial institutions for funding or as security for loans made for accomplishing any of the purposes of this act and reserves and expenses appropriate or incidental thereto.

(j) "Educational facilities" means real, personal and mixed property of any and every kind intended by an educational institution in furtherance of its educational program.

(k) "Facilities" means any real property, personal property or mixed property of any and every kind.

(l) "Health care facilities" means facilities for furnishing physical or mental health care.

(m) "Housing development" means any work or undertaking, whether new construction or rehabilitation, which is designed and financed pursuant to the provisions of this act for the primary purpose of providing dwelling accommodations for elderly persons and families of low income in need of housing.

(n) "Industrial enterprise" means facilities for manufacturing, producing, processing, assembling, repairing, extracting, warehousing, distributing, communications, computer services, transportation, corporate and management offices and services provided in connection with any of the foregoing, in isolation or in any combination, that involve the creation of new or additional employment or the retention of existing employment.

(o) "Political subdivision" means political or taxing subdivisions of the state, including municipal and quasi-municipal corporations, boards, com-

(continued)

missions, authorities, councils, committees, subcommittees and other subordinate groups or administrative units thereof, receiving or expending and supported, in whole or in part, by public funds.

(p) "Pooled bonds" means bonds of the authority, the interest on which is subject to federal income taxation, which are issued for the purpose of acquiring bonds issued by two or more political subdivisions.

~~(q) "Project of statewide as well as local importance" means a project as to which the secretary of commerce and housing has made a finding that at least: (i) Capital improvements costing not less than \$300,000,000 or, if constructed in a county which according to the 1990 decennial census contained a population of 25,000 or less, costing not less than \$5,000,000 will be built in the state for such project, (ii) not less than 1,500 or, if created in a county which according to the 1990 decennial census contained a population of 25,000 or less, not less than 150 permanent and seasonal employment positions as defined by K.S.A. 74-50,114, and amendments thereto, will be created in the state by such project, (iii) is located outside of the city limits of any city at the time of such finding, and (iv) is to be located at a site designated as a federal enclave as of January 1, 1998.~~

~~(r) (q) "State" means the state of Kansas.~~

~~(s) (r) "State agency" means any office, department, board, commission, bureau, division, public corporation, agency or instrumentality of this state.~~

Sec. 8. K.S.A. 74-8905 is hereby amended to read as follows: 74-8905. (a) The authority may issue bonds, either for a specific activity or on a pooled basis for a series of related or unrelated activities or projects duly authorized by a political subdivision or group of political subdivisions of the state in amounts determined by the authority for the purpose of financing projects of statewide as well as local importance as defined pursuant to K.S.A. 12-1744, and amendments thereto, capital improvement facilities, educational facilities, health care facilities and housing developments. Nothing in this act shall be construed to authorize the authority to issue bonds or use the proceeds thereof to:

(1) Purchase, condemn or otherwise acquire a utility plant or distribution system owned or operated by a regulated public utility;

(2) finance any capital improvement facilities, educational facilities or health care facilities which may be financed by the issuance of general obligation or utility revenue bonds of a political subdivision, except that the acquisition by the authority of general obligation or utility revenue bonds issued by political subdivisions with the proceeds of pooled bonds shall not violate the provisions of the foregoing; or

(3) purchase, acquire, construct, reconstruct, improve, equip, furnish, repair, enlarge or remodel property for any swine production facility on agricultural land which is owned, acquired, obtained or leased by a corporation, limited liability company, limited partnership, corporate partnership or trust.

Nothing in this subsection (a) shall prohibit the issuance of bonds by the authority when any statute specifically authorizes the issuance of bonds by the authority or approves any activity or project of a state agency for purposes of authorizing any such issuance of bonds in accordance with this section and provides an exemption from the provisions of this subsection (a).

(b) The authority may issue bonds for activities and projects of state agencies as requested by the secretary of administration. No bonds may be issued pursuant to this act for any activity or project of a state agency unless the activity or project either has been approved by an appropriation or other act of the legislature or has been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. When requested to do so by the secretary of administration, the authority may issue bonds for the purpose of refunding, whether at maturity or in advance of maturity, any outstanding bonded indebtedness of any state agency. The revenues of any state agency which are pledged as security for any bonds of such state agency which are refunded by refunding bonds of the authority may be pledged to the authority as security for the refunding bonds.

(c) The authority may issue bonds for the purpose of financing industrial enterprises, agricultural business enterprises, educational facilities, health care facilities and housing developments, or any combination of such facilities, or any interest in facilities, including without limitation leasehold interests in and mortgages on such facilities. No less than 30 days prior to the issuance of any bonds authorized under this act with

respect to any project or activity which is to be undertaken for the direct benefit of any person or entity which is not a state agency or a political subdivision, written notice of the intention of the authority to provide financing and issue bonds therefor shall be given by the president of the authority to the governing body of the city in which the project or activity is to be located. If the project or activity is not proposed to be located within a city, such notice shall be given to the governing body of the county. No bonds for the financing of the project or activity shall be issued by the authority for a one-year period if, within 15 days after the giving of such notice, the governing body of the political subdivision in which the project or activity is proposed to be located shall have adopted an ordinance or resolution stating express disapproval of the project or activity and shall have notified the president of the authority of such disapproval.

(d) The authority may issue bonds for the purpose of establishing and funding one or more series of venture capital funds in such principal amounts, at such interest rates, in such maturities, with such security, and upon such other terms and in such manner as is approved by resolution of the authority. The proceeds of such bonds not placed in a venture capital fund or used to pay or reimburse organizational, offering and administrative expenses and fees necessary to the issuance and sale of such bonds shall be invested and reinvested in such securities and other instruments as shall be provided in the resolution under which such bonds are issued. Moneys in a venture capital fund shall be used to make venture capital investments in new, expanding or developing businesses, including, but not limited to, equity and debt securities, warrants, options and other rights to acquire such securities, subject to the provisions of the resolution of the authority. The authority shall establish an investment policy with respect to the investment of the funds in a venture capital fund not inconsistent with the purposes of this act. The authority shall enter into an agreement with a management company experienced in venture capital investments to manage and administer each venture capital fund upon terms not inconsistent with the purposes of this act and such investment policy. The authority may establish an advisory board to provide advice and consulting assistance to the authority and the management company with respect to the management and administration of each venture capital fund and the establishment of its investment policy. All fees and expenses incurred in the management and administration of a venture capital fund not paid or reimbursed out of the proceeds of the bonds issued by the authority shall be paid or reimbursed out of such venture capital fund.

(e) The authority may issue bonds in one or more series for the purpose of financing ~~a project of statewide as well as local importance in connection with a redevelopment plan~~ *project* that is approved by the authority in accordance with K.S.A. 74-8921 and 74-8922, and amendments thereto, ~~or by Johnson or Labette county in accordance with the provisions of this act.~~

(f) After receiving and approving the feasibility study required pursuant to K.S.A. 74-8936, and amendments thereto, the authority may issue bonds in one or more series for the purpose of financing a multi-sport athletic project in accordance with K.S.A. 74-8936 through 74-8938, and amendments thereto. If the project is to be constructed in phases, a similar feasibility study shall be performed prior to issuing bonds for the purpose of financing each subsequent phase.

(g) The authority may issue bonds for the purpose of financing resort facilities, as defined in subsection (a) of K.S.A. 32-867, and amendments thereto, in an amount or amounts not to exceed \$30,000,000 for any one resort. The bonds and the interest thereon shall be payable solely from revenues of the resort and shall not be deemed to be an obligation or indebtedness of the state within the meaning of section 6 of article 11 of the constitution of the state of Kansas. The authority may contract with a subsidiary corporation formed pursuant to subsection (v) of K.S.A. 74-8904, and amendments thereto, or others to lease or operate such resort. The provisions of K.S.A. 32-867, 32-868, 32-870 through 32-873 and 32-874a through 32-874d, and amendments thereto, shall apply to resorts and bonds issued pursuant to this subsection.

(h) The authority may use the proceeds of any bond issues herein authorized, together with any other available funds, for venture capital investments or for purchasing, leasing, constructing, restoring, renovating, altering or repairing facilities as herein authorized, for making loans, purchasing mortgages or security interests in loan participations and paying all incidental expenses therewith, paying expenses of authorizing and issuing the bonds, paying interest on the bonds until revenues thereof are available in sufficient amounts, purchasing bond insurance or other credit

enhancements on the bonds, and funding such reserves as the authority deems necessary and desirable. All moneys received by the authority, other than moneys received by virtue of an appropriation, are hereby specifically declared to be cash funds, restricted in their use and to be used solely as provided herein. No moneys of the authority other than moneys received by appropriation shall be deposited with the state treasurer.

(i) Any time the authority is required to publish a notification pursuant to the tax equity and fiscal responsibility act of 1982, the authority shall further publish such notification in the Kansas register.

(j) Any time the authority issues bonds pursuant to this section, the authority shall publish notification of such issuance at least 14 days prior to any bond hearing in the official county newspaper of the county in which the project or activity financed by such bonds are located and in the Kansas register.

Sec. 9. K.S.A. 74-8921 is hereby amended to read as follows: 74-8921. (a) In addition to the other requirements of this act, bonds issued by the authority under subsection (e) of K.S.A. 74-8905, and amendments thereto, shall be issued only after the authority establishes a redevelopment district and approves a redevelopment plan for a project of statewide as well as local importance in accordance with subsections (b) and (e) of the provisions of this section.

~~(b) The authority may establish a district to be known as a "redevelopment district" within the state after the secretary of commerce and housing has certified that the district will contain a project of statewide as well as local importance.~~

~~(c) A project of statewide as well as local importance may be undertaken by the authority or a developer on behalf of the authority, in one or more phases, within a redevelopment district after the redevelopment district has been established by the authority.~~

(b) To establish a redevelopment district, the authority shall adopt a resolution stating its intent to establish the redevelopment district, describing the boundaries of the proposed district, identifying any proposed projects to be considered as a part of the redevelopment district, and stating the time, place, and manner that the authority will receive public written comment on the proposed redevelopment district. The resolution shall be published once each week for two consecutive weeks in a newspaper of general circulation within the county in which the redevelopment district may be established. A copy of the resolution shall be mailed to the governing bodies of the county and the school district in which the proposed redevelopment district is located. Upon conclusion of a public comment period of not less than 10 days following the second publication, the authority may adopt a resolution establishing the redevelopment district. Any addition of area to the redevelopment district shall be subject to the same procedure as the original resolution that established the redevelopment district.

~~(c) Any redevelopment plan undertaken within the redevelopment district may be in separate development stages. Each plan shall be adopted according to the provisions of K.S.A. 74-8922, and amendments thereto, and shall fix a date for completion. Any project constituting a part of an approved redevelopment plan shall be completed on or before the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.~~

(e) Subject to the provisions of K.S.A. 74-8925, and amendments thereto, any increment in ad valorem property taxes resulting from a redevelopment district undertaken in accordance with the provisions of this act, shall be apportioned to the redevelopment bond fund created pursuant to K.S.A. 74-8927, and amendments thereto, for the payment of the costs of the approved redevelopment project of statewide as well as local importance, including the payment of principal and interest on any bonds issued to finance such project pursuant to this act and may be pledged to the payment of principal and interest on such bonds. The maximum maturity of bonds issued to finance projects of statewide as well as local importance pursuant to this section and subsection (e) of K.S.A. 74-8905, and amendments thereto, shall not exceed 20 years from the date of the issuance approval of the first series of bonds issued to finance the redevelopment project. For the purposes of this act, "increment" means that amount of ad valorem taxes collected from real property located within the redevelopment district that is in excess of the amount which is produced from such property and attributable to the assessed valuation of such property prior to the date the redevelopment district was established, as determined under the provisions of K.S.A. 74-8925, and amendments thereto.

~~(e) Before any redevelopment district is established pursuant to K.S.A. 74-8921, and amendments thereto, a comprehensive feasibility study, which shows the benefits to the state and its political subdivisions derived from such project will exceed the costs and that the income therefrom will be sufficient to pay for the project, shall be prepared by the developer and submitted to the secretary of commerce and housing and the authority and a redevelopment plan implementation agreement between the authority and the developer with respect to implementing the redevelopment plan shall have been executed. Such feasibility study shall be an open public record and the redevelopment agreement shall be approved by the board of county commissioners of the county in which the redevelopment district is located.~~

Sec. 10. K.S.A. 74-8922 is hereby amended to read as follows: 74-8922. (a) If the developer proposes to undertake a redevelopment project of statewide as well as local importance within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, at the federal enclave located in Johnson and Labette counties, the developer shall prepare a redevelopment plan. The redevelopment plan shall include:

(1) A summary of the feasibility study required by K.S.A. 74-8921, and amendments thereto;

(2) a reference to the redevelopment district established under K.S.A. 74-8921 and amendments thereto;

(3) a comprehensive description of the project of statewide as well as local importance;

(4) a description and map of the area to be redeveloped;

(5) a detailed description of the buildings and facilities proposed to be constructed or improved in such area; and

(6) a plan for the financing of the redevelopment project; and

(7) any other information the authority deems necessary to advise the public of the intent of the plan.

(b) A copy of the proposed redevelopment plan shall be delivered by the developer to the authority, the secretary of commerce and housing and to the board of county commissioners of the county in which the redevelopment district is located, and the board of county commissioners shall determine, within 30 days after receipt of the plan, whether the plan as proposed is consistent with the comprehensive general development plan for the development of the area property. If the proposed redevelopment plan is not consistent with the comprehensive general development plan, the board of county commissioners shall provide its comments and objections to the authority, which shall modify, approve or deny the plan. If the redevelopment plan is consistent with the comprehensive general development plan of the county, then the authority may adopt the redevelopment plan by a resolution passed by a majority of the board of directors of the authority. Any substantial changes to the plan as adopted shall be made in the same manner, with notice and approval of the board of county commissioners and adoption of a resolution by the authority. A redevelopment plan may be adopted by the authority, pursuant to these procedures, at the same time that the authority establishes the redevelopment district under K.S.A. 74-8921, and amendments thereto. ~~Any redevelopment plan which proposes to undertake a project of statewide as well as local importance in a county which according to the 1990 decennial census contained a population greater than 25,000 shall be adopted prior to July 1, 2001 or, if a developer has complied with the provisions of K.S.A. 74-8930 and amendments thereto, 2002.~~

(c) (1) Under no circumstances shall the state of Kansas, any of its political subdivisions, the Kansas development finance authority or any unit of local government assume responsibility or otherwise be responsible for any environmental remediation, or any fees which may relate thereto, which may be required to be performed within the redevelopment district designated through any redevelopment plan, and any attorney fees incurred by the state of Kansas as a defendant in any litigation arising from any such environmental remediation or fees relating thereto, other than an action for enforcement of federal laws commenced by appropriate authorities of the federal government, shall be paid by the party or parties bringing the litigation or otherwise causing the state of Kansas to be a party to the litigation. Any person or entity, other than the state, an instrumentality of the state, or a unit of local government, who proposes to take legal title to land which is located at a site designated as a federal enclave prior to January 1, 1998, for the purpose of developing a project of statewide as well as local importance shall: (1) prior to taking such title, enter into a consent decree agreement with the Kansas de-

(continued)

partment of health and environment or the United States environmental protection agency under which such person or entity expressly agrees to be responsible for and to complete the remediation of all environmental contamination of such land according to established standards and levels for appropriate property uses, except that part, if any, of the remediation which is, by agreement approved by the governor, to be retained by the federal government or any agency thereof and (2) prior to taking title to any of the land, provide prepaid third-party financial guarantees to the state or an instrumentality thereof sufficient in form and amount to insure full and complete remediation of all of the land within the federal enclave as required in the consent decree agreement. Nothing in this section is intended and shall not be construed to relieve the United States army, the federal government or any agency thereof from any duty, responsibility or liability for any contamination or remediation of the land as may be imposed or required under state or federal law, and At the time of transfer of any real property located within a federal enclave in Johnson and Labette counties from the United States to any subdivision of the state, including Johnson and Labette counties, if all remedial action necessary to protect human health and the environment has been taken, a covenant of transfer shall be made by the United States to this effect in compliance with the provisions of 42 U.S.C. 9620 et seq., and amendments thereto. If at the time of transfer such property is still in the remediation process, the covenant of transfer may be deferred pending the completion of the remediation by the United States with a separate covenant of transfer covering the property to be provided at a future date stating that the site has been fully remediated as provided in 42 U.S.C. 9620 and amendments thereto. Nothing in this section is intended and shall not be construed to relieve the United States, the federal government or any agency thereof from any duty, responsibility or liability for any contamination or remediation of the land as may be imposed or required under state or federal law.

Prior to taking title, possession or otherwise exercising control over the land within a former federal enclave the federal enclave located in Johnson and Labette counties or in any other way exposing the state to potential liability for environmental remediation of such property, the state or any instrumentality of the state shall obtain the written opinion of a competent attorney, specializing in environmental law and maintaining professional liability insurance, and the Kansas attorney general regarding the state's potential liability resulting from taking title, possession or otherwise exercising control over the land. Also prior to taking title, possession or otherwise exercising control over the land, Johnson county or Labette county, as appropriate, shall ensure that adequate environmental insurance is obtained and purchased to cover the property.

Sec. 11. K.S.A. 74-8923 is hereby amended to read as follows: 74-8923. The authority may use the proceeds of bonds issued pursuant to subsection (e) of K.S.A. 74-8905, and amendments thereto, or upon approval by the board of county commissioners or other taxing subdivision in which the redevelopment district is located any uncommitted funds derived from those sources set forth in K.S.A. 74-8924, and amendments thereto, or other funds pledged for the payment of such bonds to implement the redevelopment plan, including the payment or reimbursement of all costs of the project of statewide as well as local importance to the extent authorized in the redevelopment plan implementation agreement adopted pursuant to K.S.A. 74-8921, and amendments thereto. Any excess revenue from sources set forth in K.S.A. 74-8927, and amendments thereto, other than any revenues pledged from private sources which the authority has agreed in the redevelopment implementation agreement to such sources not otherwise needed or committed for the repayment of bonds or other project costs authorized in the agreement shall upon approval by the authority be paid out by the state treasurer proportionately to the appropriate taxing authorities.

Sec. 12. K.S.A. 74-8924 is hereby amended to read as follows: 74-8924. (a) Any bonds issued by the authority under subsection (e) of K.S.A. 74-8905, and amendments thereto, or by Johnson county or Labette county under this act to finance the undertaking of any redevelopment project of statewide as well as local importance in accordance with the provisions of this act, shall be made payable, both as to principal and interest:

(1) From property tax increments, other than an increment derived from ad valorem taxes levied by or on behalf of a school district, allocated to, and paid into a special fund of the authority under the provisions of K.S.A. 74-8925, and amendments thereto;

(2) from revenues of the authority or the developer derived from or held in connection with the undertaking and carrying out of any redevelopment plan under this act;

(3) from any private sources, contributions or other financial assistance from the state or federal government;

(4) when otherwise authorized by law, from the revenue collected by the state under K.S.A. 74-8927, and amendments thereto;

(5) from a portion or all increased revenue received by any city or county from franchise fees collected from utilities and other businesses using public right-of-way within the redevelopment district;

(6) when otherwise authorized by law, from a portion or all of the revenue received from sales taxes collected within the redevelopment district pursuant to K.S.A. 12-187, and amendments thereto; or

(7) by any combination of these methods.

(b) The authority may pledge such revenue to the repayment of such bonds prior to, simultaneously with, or subsequent to the issuance of such bonds.

Sec. 13. K.S.A. 74-8925 is hereby amended to read as follows: 74-8925. (a) For the purposes of this act, the term "taxing subdivision" shall include the county, the city, the unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district. The term "real property taxes" includes all taxes levied on an ad valorem basis upon land and improvements thereon, other than the property tax levied pursuant to the provisions of K.S.A. 72-6431, and amendments thereto or any other property tax levied by or on behalf of a school district.

(b) All tangible taxable property located within a redevelopment district shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such district, and all ad valorem taxes levied on such property shall be paid to and collected by the county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall distribute such taxes as may be collected in the same manner as if such property were located outside a redevelopment district. Each redevelopment district established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(c) Beginning with the first payment of taxes which are levied following the date of approval of any redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, real property taxes received by the county treasurer resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as herein defined, on property located within such redevelopment district constituting a separate taxing unit under the provisions of this section, shall be divided as follows:

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a redevelopment district constituting a separate taxing unit under the provisions of this act, the county treasurer first shall allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from that portion of the current assessed valuation of such real property located within such separate taxing unit which is equal to the total assessed value of such real property on the date of the establishment of the redevelopment district.

(2) Any real property taxes produced from that portion of the current assessed valuation of real property within the redevelopment district constituting a separate taxing unit under the provisions of this section in excess of an amount equal to the total assessed value of such real property on the effective date of the establishment of the district shall be allocated and paid by the county treasurer according to specified percentages of the tax increment expressly agreed upon and consented to by the governing bodies of the county and school district in which the redevelopment district is located. The amount of the real property taxes allocated and payable to the authority under the agreement shall be paid by the county treasurer to the treasurer of the state. The remaining amount of the real property taxes not payable to the authority shall be allocated and paid in the same manner as other ad valorem taxes. Any real property taxes paid to the state treasurer under this section shall be deposited in the redevelopment bond finance fund of the authority which is created pursuant to K.S.A. 74-8927, and amendments thereto, to pay the costs of the any approved redevelopment project of statewide as well as local importance, including the payment of principal of and interest on any

bonds issued by the authority to finance, in whole or in part, such project. When such bonds and interest thereon have been paid, all moneys thereafter received from real property taxes within such redevelopment district shall be allocated and paid to the respective taxing subdivisions in the same manner as are other ad valorem taxes. If such bonds and interest thereon have been paid before the completion of a project, the authority may continue to use such moneys for any purpose authorized by the redevelopment agreement until such time as the project costs are paid or reimbursed, but for a period not to exceed the final scheduled maturity of the bonds.

(d) In any redevelopment plan or in the proceedings for the issuing of any bonds by the authority to finance a project ~~of statewide as well as local importance~~, the property tax increment portion of taxes provided for in paragraph (2) of subsection (c) may be irrevocably pledged for the payment of the principal of and interest on such bonds. The authority may adopt a redevelopment plan in which only a specified percentage of the tax increment realized from taxpayers in the redevelopment district is pledged to the payment of costs ~~of the project of statewide as well as local importance~~.

Sec. 14. K.S.A. 74-8927 is hereby amended to read as follows: 74-8927. (a) *Whenever a pledge of the revenue derived from the state and countywide retailers' sales tax is otherwise authorized by law to be pledged for the repayment of bonds issued to finance or refinance the redevelopment, then, until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment undertaken in the redevelopment district have been paid in full; or (2) the final scheduled maturity date of the first series of bonds issued to finance the redevelopment project, all revenues collected or received from the state transient guest tax established pursuant to K.S.A. 2002 Supp. 79-5301 through 79-5304, and amendments thereto, any revenue from a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto, the state retailers' sales tax pursuant to K.S.A. 79-3603, and amendments thereto, and the state compensating use tax, pursuant to K.S.A. 79-3703, and amendments thereto, which have been certified by the director of taxation to have been derived from taxpayers located in a redevelopment district shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury.*

(b) *The state treasurer shall credit all such revenues authorized to be pledged for the repayment of the bonds to the redevelopment bond fund which is hereby established in the state treasury and shall be held by the state treasurer as custodian for the authority. Distributions from the redevelopment bond fund shall not require an appropriation by the legislature. The state treasurer shall make such biannual distributions on dates mutually agreed upon by the treasurer and the authority. The authority shall use all such moneys received pursuant to this section to pay the costs of a redevelopment project of statewide as well as local importance as described in K.S.A. 74-8902, and amendments thereto projects to the extent authorized pursuant to a redevelopment plan implementation agreement approved pursuant to K.S.A. 74-8921, and amendments thereto. Any revenues not needed or committed for the payment of bonds or other project costs as authorized by the redevelopment plan implementation agreement shall upon approval by the authority be remitted by the state treasurer proportionately to the appropriate taxing authorities.*

Sec. 15. K.S.A. 74-8929 is hereby amended to read as follows: 74-8929. (a) *Whenever a redevelopment district is proposed to be established pursuant to section 2, and amendments thereto, by the board of county commissioners or by the authority pursuant to K.S.A. 74-8921, and amendments thereto, and a pledge of the revenue derived from the state or countywide retailers' sales tax is authorized to be pledged for the repayment of bonds issued to finance or refinance the redevelopment, then the governing body of the board of county commissioners of Johnson*

county in which the redevelopment district is proposed to be located may or the board of county commissioners of Labette county, in addition to any countywide retailers' sales tax authorized by K.S.A. 12-187, and amendments thereto, or other specific statutory provisions, may adopt and impose a county retailers' sales tax at a rate of .5% within the redevelopment district, without submitting the question to an election and all revenue derived from the county retailers' sales tax levied under this subsection shall be pledged for the purposes of financing the redevelopment plan and redevelopment projects.

(b) *Notwithstanding any other statutory provision to the contrary, whenever the governing body of a board of county commissioners of Johnson county adopts and imposes the county retailers' sales tax authorized under subsection (a), then all revenue that is derived from a countywide retailers' sales tax imposed by such the county pursuant to K.S.A. 12-187, and amendments thereto, from taxpayers within the redevelopment district, except those portions of such taxes which have otherwise been expressly dedicated for other purposes by a prior pledge of such the county or by authorizing statute or voter approval, shall be considered to be dedicated for purposes of the redevelopment district and upon collection by the director of taxation, such revenues shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the redevelopment bond fund established pursuant to K.S.A. 74-8927, and amendments thereto, if applicable, or to the redevelopment bond fund established by the board of county commissioners.*

(c) *All revenue derived from a county retailers' sales tax imposed under subsection (a) and collected under subsection (b) shall upon collection, be remitted to the state treasurer, as provided by K.S.A. 74-8927, and amendments thereto, and may be pledged and used by the authority or board in like manner as other revenues collected or received under K.S.A. 74-8927, and amendments thereto. Whenever the authority has proposed to issue bonds pursuant to subsection (e) of K.S.A. 74-8905, and amendments thereto, the county retailers' sales tax imposed under subsection (a) and the revenue collected under subsection (b) shall remain in effect and may not be reduced or rescinded by the governing body of the county until such time as the bonds have been fully paid. When such bonds have been fully paid, then (1) the county retailers' sales tax imposed under subsection (a) shall expire, unless otherwise renewed by action of the governing body of the county for purposes of implementing additional projects authorized under the redevelopment plan for the redevelopment district; and (2) the revenues to be collected under subsection (b) may be rededicated for other purposes by resolution of the governing body of such the county and if not so rededicated then the revenues thereafter collected shall be used only for approved and authorized costs in the redevelopment district in accordance with the approved redevelopment plan plans. Upon rededication of the revenues under subsection (b), or in the event that no future redevelopment projects or authorized costs remain for the redevelopment district, the revenues derived from the countywide retailers' sales tax covered under subsection (b) shall thereafter be distributed to the county treasurer as required under K.S.A. 12-192, and amendments thereto.*

New Sec. 16. *Whenever a redevelopment district is established under this act and bonds are issued by the board of county commissioners or by the Kansas development finance authority for any redevelopment project in the district, such redevelopment project shall be regarded as a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance for the purposes of K.S.A. 2002 Supp. 79-3620, 79-3620b and 79-3710, and amendments thereto.*

Sec. 17. K.S.A. 74-8902, 74-8905, 74-8921, 74-8922, 74-8923, 74-8924, 74-8925, 74-8927 and 74-8929 are hereby repealed.

Sec. 18. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 3.—INSTANT GENERIC GAME RULES

111-3-27. Rights of participants. Any Kansas instant lottery ticket entered into a drawing conducted pursuant to K.A.R. 111-3-1 et seq. is disqualified from any other Kansas lottery prize or eligibility for which that ticket may have been redeemable, except that an instant lottery ticket selected during such a drawing which is otherwise eligible for an instant prize may be paid by the lottery, unless otherwise specified by individual game rules. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710(d); effective, T-111-7-7-88, July 7, 1988; amended, T-111-5-28-91, May 24, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-4-8-03, Jan. 15, 2003.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-1976. "Kansas Speedway" instant ticket lottery game number 268. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Speedway" commencing on or after January 29, 2003. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-1976.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONES
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
40. ⁰⁰	FORTY
50. ⁰⁰	FIFTY
75. ⁰⁰	SVTYFIV
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$10000	10-THOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV

13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EIGHTN
19	NINTN
20	TWNTY
21	TWTYONE
22	TWYTWO
23	TWTYTHR
24	TWTYFR
25	TWTYFIV

GOOD LUCK
MAYBE NEXT TIME

(c) For this game, a play symbol shall appear in each of 19 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
THY	=	\$250.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Kansas Speedway" is a ticket with two different games. Game 1 is a key number match game. A player will remove the scratch-off material to reveal two "YOUR NUMBERS" and eight "WINNING NUMBERS" with a prize amount below each of the "WINNING NUMBERS." If a player matches either of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize shown below that matched number. A player can win up to eight times in this play area. Game 2 is an instant win game. A player will remove the scratch-off material to reveal one play area. If the player reveals any prize amount, the player wins that amount instantly. A player can win once in this play area.

(h) Each ticket in this game may win up to nine times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	Free Ticket	20,000	\$0
\$2	\$2	28,000	56,000
\$1 + \$1	\$2	32,000	64,000
\$4	\$4	8,800	35,200
\$2 × 2	\$4	9,200	36,800
\$1 × 4	\$4	9,800	39,200
\$5	\$5	3,400	17,000
\$2 + \$3	\$5	3,600	18,000
\$1 × 5	\$5	4,000	20,000
\$10	\$10	2,400	24,000
\$2 × 5	\$10	2,600	26,000
\$5 × 2	\$10	2,400	24,000
(\$1 × 8) + \$2	\$10	3,500	35,000
\$20	\$20	850	17,000
(\$2 × 7) + (\$3 × 2)	\$20	1,050	21,000
(\$3 × 6) + \$2	\$20	850	17,000
\$4 × 5	\$20	900	18,000
\$10 × 2	\$20	900	18,000
\$40	\$40	450	18,000
\$5 × 8	\$40	600	24,000
\$10 × 4	\$40	500	20,000
\$50	\$50	220	11,000
\$25 × 2	\$50	250	12,500
(\$5 × 8) + \$10	\$50	300	15,000
\$75	\$75	122	9,150
\$15 × 5	\$75	140	10,500
\$100	\$100	50	5,000
\$25 × 4	\$100	60	6,000
(\$10 × 8) + \$20	\$100	70	7,000
(\$20 × 5) + (\$50 × 3)	\$250	40	10,000
\$1,000	\$1,000	4	4,000
\$500 × 2	\$1,000	6	6,000
\$10,000	\$10,000	4	40,000
Total		<u>137,066</u>	<u>\$684,350</u>

(k) The odds of winning a prize in this game are approximately one in 4.38. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1977. "Triple Tripler" instant ticket lottery game number 269. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Triple Tripler" commencing on or after January 29, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1977.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$5.00	FIVE\$
10.00	TEN\$
18.00	EGTEEN
30.00	THIRTY
90.00	NINETY
\$1000	ONETHOU
\$2000	TWOTHOU
\$6000	SIXTHOU
SINGLE PRIZE	
TRIPLE PRIZE	
TRIPLE TRIPLER	

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
THR	=	\$3.00
FIV	=	\$5.00
SIX	=	\$6.00
NIN	=	\$9.00
FTN	=	\$15.00
EGN	=	\$18.00
TRY	=	\$30.00
NTY	=	\$90.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Triple Tripler" is a match three of six game with a triple prize and a triple tripler feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "YOUR PRIZE LEVEL." The "YOUR PRIZE LEVEL" will be either the words "SINGLE PRIZE," the words "TRIPLE PRIZE," or the words "TRIPLE TRIPLER." If a player matches three like amounts and the words "SINGLE PRIZE" are revealed, the player will win the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE PRIZE" are revealed, the player will win triple the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE TRIPLER" are revealed, the player will win nine times the prize amount shown.

(h) Each ticket in this game may win one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's + (single prize)	\$1	75,000	\$75,000
3 - \$1's + (triple prize)	\$3	21,000	63,000
3 - \$3's + (single prize)	\$3	21,000	63,000
3 - \$5's + (single prize)	\$5	10,800	54,000
3 - \$2's + (triple prize)	\$6	7,800	46,800
3 - \$1's + (triple tripler)	\$9	5,316	47,844
3 - \$5's + (triple prize)	\$15	2,550	38,250
3 - \$2's + (triple tripler)	\$18	1,035	18,630
3 - \$18's + (single prize)	\$18	1,035	18,630
3 - \$30's + (single prize)	\$30	375	11,250
3 - \$10's + (triple prize)	\$30	378	11,340
3 - \$10's + (triple tripler)	\$90	129	11,610
3 - \$90's + (single prize)	\$90	129	11,610
3 - \$1,000's + (triple prize)	\$3,000	4	12,000
3 - \$6,000's + (single prize)	\$6,000	2	12,000
3 - \$2,000's + (triple prize)	\$6,000	3	18,000
TOTAL		<u>146,556</u>	<u>\$512,964</u>

(k) The odds of winning a prize in this game are approximately one in 6.14. (Authorized by K.S.A. 2002 *(continued)*)

Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1978. "2 Much Fun" instant ticket lottery game number 270. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "2 Much Fun" commencing on or after January 29, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1978.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
40. ⁰⁰	FORTY
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
2	TWO

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00
THN	=	\$200.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) The "2 Much Fun" instant ticket combines two different game plays within the same play area. A player can win by matching three of six prize amounts or by revealing one or more "2" symbols and winning a prize according to the prize legend on the ticket front. A player will remove the scratch-off material covering the game play area to reveal six play symbols. If three of the six prize amounts are identical, the player wins that prize amount. If a player reveals one "2" symbol, the player wins \$2. If a player reveals two "2" symbols, the player wins \$20. If a player reveals three "2" symbols, the player wins \$200. If a player reveals four "2" symbols, the player wins \$2,222.

(h) Each ticket in this game may win one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes

per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Method 1	Method 2	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's		Free Ticket	120,000	\$0
	One 2	\$2	33,000	66,000
3 - \$4's		\$4	18,300	73,200
3 - \$5.00's		\$5	12,900	64,500
3 - \$10.00's		\$10	4,200	42,000
3 - \$15.00's		\$15	2,865	42,975
	Two 2's	\$20	1,500	30,000
3 - \$40.00's		\$40	1,125	45,000
3 - \$50.00's		\$50	600	30,000
3 - \$100.00's		\$100	225	22,500
	Three 2's	\$200	45	9,000
3 - \$1,000.00's		\$1,000	6	6,000
	Four 2's	\$2,222	6	13,332
TOTAL			<u>194,772</u>	<u>\$444,507</u>

(k) The odds of winning a prize in this game are approximately one in 4.62. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1979. "Blackjack" instant ticket lottery game number 271. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Blackjack" commencing on or after January 29, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1979.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$4. ⁰⁰	FOUR\$
\$6. ⁰⁰	SIX\$
\$8. ⁰⁰	EGT\$
12. ⁰⁰	TWLV
24. ⁰⁰	TWNFOR
50. ⁰⁰	FIFTY
70. ⁰⁰	SEVENTY
\$210\$	TWOTEN
\$700\$	SEVHUN
\$10000	10-THOU
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE
BUST	BUST

(c) For this game, a play symbol shall appear in each of 11 play spots within the play area or areas, except that

when the "DEALER'S HAND" shows "BUST," only 10 play spots will appear within the play area.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
SIX	=	\$6.00
TWL	=	\$12.00
TFO	=	\$24.00
FTY	=	\$50.00
THT	=	\$210.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Blackjack" is a beat the dealer game. The player will remove the scratch-off material covering the table play area to reveal three "HANDS," "HAND 1," "HAND 2," "HAND 3," three "PRIZE" amounts, and one "DEALER'S HAND." If the sum of both cards in a "HAND" is higher than the sum of both cards in the "DEALER'S HAND," the player wins the "PRIZE" directly below that "HAND." If the player gets "BLACK-JACK" (21), in any "HAND," the player wins double the prize for that "HAND." If the "DEALER'S HAND" shows "BUST," the player wins all three prizes. The cards "J," "Q," and "K" will have a point value of 10. The card "A" will have a point value of 11.

(h) Each ticket in this game may win up to three times.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Expected Number of		Expected Value in Game
	Prizes	Prizes in Game	
Free Ticket	Free Ticket	90,000	\$0
\$1	\$1	27,000	27,000
\$2	\$2	22,500	45,000
\$1 Doubled	\$2	24,000	48,000
\$4	\$4	9,300	37,200
\$2 + \$2	\$4	9,900	39,600
\$2 Doubled	\$4	12,060	48,240
\$1 + \$1 + \$2	\$4	13,500	54,000
\$6	\$6	1,050	6,300
\$3 + \$3	\$6	960	5,760
\$2 x 3 (bust)	\$6	1,200	7,200
\$12	\$12	330	3,960
\$6 + \$6	\$12	360	4,320
\$4 x 3 (bust)	\$12	450	5,400
\$4 Doubled + \$4	\$12	540	6,480
\$24	\$24	360	8,640
\$12 + \$12	\$24	420	10,080
\$8 x 3 (bust)	\$24	450	10,800
\$50	\$50	150	7,500
\$2 + \$24 + \$24	\$50	210	10,500
\$210	\$210	6	1,260
\$70 + \$70 + \$70	\$210	9	1,890

\$700 x 3 (bust)	\$2,100	6	12,600
\$10,000	\$10,000	6	60,000
TOTAL		<u>214,767</u>	<u>\$461,730</u>

(k) The odds of winning a prize in this game are approximately one in 4.19. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1980. "Lucky Dice" instant ticket lottery game number 272. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Lucky Dice" commencing on or after January 29, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1980.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$7. ⁰⁰	SEV\$
11. ⁰⁰	ELEVEN
21. ⁰⁰	TWEN-ONE
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$5000	FIVETHOU
ONE DOT	ONE
TWO DOTS	TWO
THREE DOTS	THREE
FOUR DOTS	FOUR
FIVE DOTS	FIVE
SIX DOTS	SIX

(c) For this game, a play symbol shall appear in each of 12 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
SEV	=	\$7.00
ELV	=	\$11.00
TWN	=	\$21.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) In "Lucky Dice," a player will remove the scratch-off material covering the play area to reveal four "ROLLS." If a player finds two identical dice values in the same "ROLL," the player wins the corresponding prize for that "ROLL."

(continued)

(h) Each ticket in this game may win up to four times.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free	Free	90,000	\$0
\$1 × 2	\$2	27,000	54,000
\$2	\$2	14,400	28,800
\$4	\$4	9,600	38,400
\$1 × 4	\$4	9,600	38,400
\$7	\$7	5,700	39,900
\$4 + \$2 + \$1	\$7	5,940	41,580
\$11	\$11	2,100	23,100
\$4 + \$4 + \$2 + \$1	\$11	2,175	23,925
\$21	\$21	1,350	28,350
\$11 + \$7 + \$2 + \$1	\$21	1,380	28,980
\$50	\$50	225	11,250
\$21 + \$21 + \$7 + \$1	\$50	240	12,000
\$100	\$100	150	15,000
\$50 × 2	\$100	180	18,000
\$500	\$500	30	15,000
\$5,000	\$5,000	9	45,000
TOTAL		<u>170,079</u>	<u>\$461,685</u>

(k) The odds of winning a prize in this game are approximately one in 5.29. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-8-03, Jan. 15, 2003.)

KANSAS SPEEDWAY 2003 DRAWING

111-4-1981. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Kansas Speedway 2003 Drawing," and will accept entries on and after the day Kansas lottery "Kansas Speedway" instant tickets are first offered for sale to the general public and ending on Tuesday, May 13, 2003, as specified in K.A.R. 111-4-1984. All references to the "Kansas Speedway" ticket for this drawing are to the \$2.00 Kansas lottery "Kansas Speedway" instant ticket, game number 268. The drawing will be held at 10:00 a.m. on Friday, May 16, 2003, at Kansas lottery headquarters in Topeka, Kansas. Rules applicable to the "Kansas Speedway 2003 Drawing" are contained in K.A.R. 111-4-1981 through 111-4-1986 and K.A.R. 111-3-1 *et seq.* (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1982. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Kansas Speedway 2003 Drawing" means the act of drawing prizes conducted by the Kansas lottery at lottery headquarters in Topeka, Kansas, at the time described in K.A.R. 111-4-1984, in which participants are selected to win various prizes as described in K.A.R. 111-4-1983.

(c) "Non-winning ticket" means any valid Kansas "Kansas Speedway" instant game lottery ticket not eligible to win a prize under the rules of the "Kansas Speedway" instant game.

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Kansas Speedway 2003 Drawing" entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1983. Prize. (a) The winner of a grand prize at the "Kansas Speedway 2003 Drawing," which will be conducted on May 16, 2003, shall receive a racing weekend package for two persons. The racing weekend package for two persons shall consist of two tickets for each day of the July 5 and 6, 2003, races conducted at Kansas Speedway in Kansas City, Kansas, one double occupancy hotel room and room taxes for the evenings of July 4, 2003, and July 5, 2003, standard hotel parking, round-trip transportation between Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at Kansas Speedway, and \$300 cash. The following restrictions shall apply to this prize:

(1) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(2) Prize packages are transferable one time and cannot be redeemed for cash.

(3) The lottery shall choose and reserve all hotel rooms.

(4) The lottery shall provide transportation to and from Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(5) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(6) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(7) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge, and standard parking fees for one vehicle for each prize package.

(b) There will be 48 (forty-eight) winners selected at the drawing.

(c) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(d) The winner of a prize shall return to the lottery a completed claim form as provided by the lottery within 14 calendar days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (e) of K.A.R. 111-4-1986 shall be declared the winner. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1984. Method of entry. (a) Entry into the "Kansas Speedway 2003 Drawing" to be conducted on May 16, 2003, shall be accomplished as follows:

(1) Obtain a valid "Kansas Speedway" Kansas instant lottery ticket.

(2) Determine if the ticket is a winning ticket in accordance with "Kansas Speedway" game rules. If the ticket is a winning ticket, it is not eligible for the drawing and shall be redeemed in accordance with the instant game rules.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the drawing.

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) A receptacle or drum may be available for deposit of entries at the Kansas Speedway and other locations as may be specifically designated by the lottery. All entries so deposited shall be transported to lottery headquarters and secured until the time of the drawing.

(6) Entries may also be mailed with proper postage to "Kansas Speedway 2003" c/o Kansas lottery, P. O. Box 5596, Topeka, Kansas 66605-5596. Mailed entries must be received by morning mail pickup on Tuesday, May 13, 2003. More than one entry may be mailed in one envelope.

(7) The holder of the ticket is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(8) The drawing will be conducted at 10:00 a.m. on Friday, May 16, 2003.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Kansas Speedway" tickets which are mailed to "Kansas Speedway 2003" c/o Kansas lottery, P. O. Box 5596, Topeka, Kansas 66605-5596 with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, May 13, 2003, and non-winning "Kansas Speedway" tickets entered at the Kansas lottery location at Kansas Speedway and other locations as may be specifically designated by the lottery shall be eligible for the drawing.

(d) Eligible entrants in the "Kansas Speedway 2003 Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1985. Certification of drawing. (a) The "Kansas Speedway 2003 Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the ex-

ecutive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-4-8-03, Jan. 15, 2003.)

111-4-1986. Selection of winners. The following process shall be used for the selection of winners in the "Kansas Speedway 2003 Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Speedway 2003 Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on Tuesday, May 13, 2003. Following the morning mail pickup on Tuesday, May 13, 2003, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries and entries retained from the Kansas lottery selling location at Kansas Speedway and such other locations as specifically designated by the lottery shall then be placed in the drawing receptacle or drum.

(b) The drawing shall be held at Kansas lottery headquarters and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the final drawing on Friday, May 16, 2003, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be mixed with a shovel or by other means for at least three minutes prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove 48 entries from the receptacle or drum, one at a time. The person whose name appears on each entry shall be the winner of one of the prize packages identified in K.A.R. 111-4-1983, subject to validation by the lottery as set forth in these rules. Each valid entry shall be numbered from one through 48.

(e) After 48 entries have been drawn, and the entries have been verified as valid, 10 more entries will be drawn, one at a time. The last 10 entries drawn will serve as alternate entries for the prize packages. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A. The alternate entries will be used only if one or more of the original winners cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth calendar day following the drawing. The alternates will be used, if necessary, in the order drawn. If an alternate winner cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth calendar day following the claim form being given or sent to the alternate winner, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(continued)

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Kansas Speedway 2003 Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 calendar days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) Only non-winning "Kansas Speedway" instant tickets as defined by these rules are eligible for the drawing.

(i) All "Kansas Speedway" tickets remaining in the drum or receptacle on May 16, 2003, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-4-8-03, Jan. 15, 2003.)

Ed Van Petten
Executive Director

Doc. No. 029234

State of Kansas

Department of Revenue
Division of Property Valuation

Permanent Administrative
Regulations

Article 6.—REGISTERED MASS APPRAISER

93-6-4. Experience requirements. (a) Each candidate for the RMA designation shall document a minimum of 6,000 hours of mass appraisal experience, including not

less than 2,000 hours of experience in establishing values for property taxation purposes. No more than 600 hours of mass appraisal experience shall come from establishing values on personal property. "Hour," as used in this regulation, shall mean 60 minutes.

(b) Any candidate may petition the secretary of revenue to approve more than the 600 hours of mass appraisal experience in establishing values on personal property specified in subsection (a). The candidate shall demonstrate to the secretary that the experience entailed determining the fair market value of personal property in a manner comparable in complexity and documented market research and analysis to the valuation of real property. The candidate shall further demonstrate to the secretary that the personal property valued comprised a predominate portion of the tax base of the county in which the values were determined.

(c) The required 6,000 hours of mass appraisal experience may include map maintenance, sales validation, income validation, and quality control. The required 2,000 hours of experience in establishing values on property for ad valorem taxation purposes may include neighborhood analysis, land valuation, model building and testing, and final review. (Authorized by and implementing K.S.A. 2001 Supp. 19-430; effective, T-93-8-29-97, Aug. 29, 1997; effective Dec. 5, 1997; amended April 20, 2001; amended May 16, 2003.)

93-6-7. Reinstatement. Each applicant for reinstatement of the RMA designation shall complete the continuing education requirements specified in K.A.R. 93-6-3. No reinstatement shall be allowed after June 30 of the second year after the expiration of the four-year continuing education period specified in K.A.R. 93-6-3. (Authorized by and implementing K.S.A. 2001 Supp. 19-430; effective May 16, 2003.)

Joan Wagnon
Secretary of Revenue

Doc. No. 029279

INDEX TO ADMINISTRATIVE
REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes and 2002 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF
ADMINISTRATION

Reg. No.	Action	Register
1-2-31	Amended	V. 21, p. 767
1-2-42	Amended	V. 21, p. 767
1-2-42a	Amended	V. 21, p. 767
1-2-48	Revoked	V. 21, p. 767
1-5-22	Amended	V. 21, p. 767
1-5-29	Amended	V. 21, p. 767
1-6-3	Amended	V. 21, p. 767
1-6-21	Amended	V. 21, p. 768
1-6-23	Amended (T)	V. 22, p. 466
1-6-26a	New	V. 21, p. 768

1-9-4	Amended	V. 21, p. 768
1-9-5	Amended	V. 21, p. 769
1-9-7b	Amended	V. 21, p. 2048
1-11-1	Amended	V. 21, p. 770
1-14-12a	Revoked	V. 21, p. 770
1-16-18	Amended	V. 21, p. 146
1-45-1 through 1-45-7	Revoked	V. 22, p. 226
1-45-7a	Revoked	V. 22, p. 226
1-45-8 through 1-45-14	Revoked	V. 22, p. 226
1-45-15	Amended (T)	V. 21, p. 1942
1-45-15	Revoked	V. 22, p. 226
1-45-16	Amended (T)	V. 21, p. 1942
1-45-16	Revoked	V. 21, p. 226
1-45-17	Revoked	V. 22, p. 226
1-45-18 through 1-45-24	New	V. 22, p. 226-228

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-2-2	Amended	V. 21, p. 1944
3-2-3	Amended	V. 21, p. 1944

AGENCY 4: DEPARTMENT OF
AGRICULTURE

Reg. No.	Action	Register
4-1-17	Amended (T)	V. 21, p. 1174
4-1-17	Amended	V. 21, p. 1749

4-4-2	Amended	V. 21, p. 1749
4-7-2	Amended	V. 21, p. 2020
4-7-3	Amended	V. 21, p. 2020
4-7-4	Amended	V. 21, p. 2020
4-7-6	Amended	V. 21, p. 2021
4-7-213	Amended	V. 21, p. 2021
4-7-213a	Revoked	V. 21, p. 2021
4-7-214	Amended	V. 21, p. 2021
4-7-216	Amended	V. 21, p. 2021
4-7-408	Revoked	V. 21, p. 2021
4-7-507	Amended	V. 21, p. 2021
4-7-510	Amended	V. 21, p. 2021
4-7-511	Revoked	V. 21, p. 2021
4-7-512	Revoked	V. 21, p. 2022
4-7-513	Revoked	V. 21, p. 2022
4-7-530	Amended	V. 21, p. 2022
4-7-531	Amended	V. 21, p. 2022
4-7-532	Amended	V. 21, p. 2022
4-7-533	Amended	V. 21, p. 2022
4-7-715	Amended	V. 21, p. 2022
4-7-716	Amended	V. 21, p. 2022
4-7-717	Amended	V. 21, p. 2023
4-7-718	Amended	V. 21, p. 2023
4-7-719	Amended	V. 21, p. 2023
4-7-720	Revoked	V. 21, p. 2023
4-7-721	Revoked	V. 21, p. 2023
4-7-722	Revoked	V. 21, p. 2023
4-7-802	Revoked	V. 21, p. 2023
4-7-804	New	V. 21, p. 2023
4-7-900	Amended	V. 21, p. 2024
4-7-901	Amended	V. 21, p. 2024

4-7-902	Amended	V. 21, p. 2024
4-7-903	Amended	V. 21, p. 2024
4-7-904	Amended	V. 21, p. 2024
4-7-905	Revoked	V. 21, p. 2024
4-7-1000	Amended	V. 21, p. 2024
4-7-1001	Revoked	V. 21, p. 2025
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-13-9	Amended (T)	V. 21, p. 1174
4-13-9	Amended	V. 21, p. 1749
4-13-20		
through		
4-13-24	Amended (T)	V. 21, p. 1174, 1175
4-13-20		
through		
4-13-24	Amended	V. 21, p. 1749, 1750
4-13-25	Amended	V. 21, p. 2043
4-13-25a		
through		
4-13-25l	New	V. 21, p. 2044-2047
4-13-33	Amended (T)	V. 21, p. 1175
4-13-33	Amended	V. 21, p. 1750
4-14-1	Revoked	V. 21, p. 1705
4-14-2	Revoked	V. 21, p. 1705
4-14-3	Revoked	V. 21, p. 1705
4-15-1	Revoked	V. 21, p. 1705
4-15-2	Revoked	V. 21, p. 1705
4-15-3	Revoked	V. 21, p. 1705
4-15-4		
through		
4-15-14	New	V. 21, p. 1705-1708
4-16-7a	Amended	V. 22, p. 12
4-18-1	Revoked	V. 21, p. 1708
4-19-1	Amended (T)	V. 21, p. 1175
4-19-1	Amended	V. 21, p. 1750
4-20-11	Amended	V. 22, p. 385
4-20-15	Amended	V. 22, p. 385
4-21-1	Amended	V. 22, p. 385
4-21-3	Amended	V. 22, p. 386
4-21-4	Amended	V. 22, p. 386
4-21-5	Amended	V. 22, p. 387
4-21-6	Amended	V. 22, p. 387
4-21-7	New	V. 22, p. 387
4-25-2		
through		
4-25-18	New	V. 21, p. 232-235

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-3-26	Amended (T)	V. 21, p. 1131
5-3-26	Amended	V. 21, p. 1704
5-15-1		
through		
5-15-4	New (T)	V. 21, p. 690-692
5-15-1		
through		
5-15-4	New	V. 21, p. 1307-1309
5-16-1		
through		
5-16-7	New	V. 21, p. 1667-1669
5-21-6	New	V. 22, p. 41
5-21-7	New	V. 22, p. 42
5-22-2	Amended	V. 21, p. 2133
5-22-4	Amended	V. 21, p. 2133
5-22-4a	New	V. 21, p. 2134
5-22-5	Revoked	V. 21, p. 2134
5-22-12	New	V. 21, p. 2134
5-23-6	Amended	V. 21, p. 2134
5-24-5	Amended	V. 21, p. 2135
5-24-7	Amended	V. 21, p. 2135
5-24-8	New	V. 21, p. 2135
5-24-9	New	V. 21, p. 2136
5-24-10	New	V. 21, p. 2136

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-13	Amended	V. 21, p. 1056
7-37-2	Amended	V. 21, p. 1056

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-7-19	New	V. 21, p. 265

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-12-1	Amended	V. 21, p. 454
10-13-1	Amended	V. 21, p. 454
10-20-2a	New	V. 21, p. 454
10-21-1		
through		
10-21-6	Amended	V. 21, p. 454-456

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-1-6	Amended	V. 21, p. 1318
11-1-7	Amended	V. 21, p. 1318
11-1-8	Amended	V. 21, p. 1318
11-1-9		
through		
11-1-14	New	V. 21, p. 1319-1321
11-2-4		
through		
11-2-6	Revoked	V. 21, p. 1321
11-5-1		
through		
11-5-4	Revoked	V. 21, p. 1321
11-7-6	Amended	V. 21, p. 1321
11-7-7	Amended	V. 21, p. 1321
11-7-12		
through		
11-7-15	Amended	V. 21, p. 1322, 1323
11-7-16	New	V. 21, p. 1323
11-9-2	Amended	V. 21, p. 1323
11-9-5	Amended	V. 21, p. 1323
11-9-10	Amended	V. 21, p. 1323
11-10-1		
through		
11-10-6	New	V. 21, p. 1323-1324

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-12-1		
through		
14-12-18	Revoked	V. 21, p. 2095
14-13-14	New	V. 21, p. 1054
14-13-15	New	V. 21, p. 1055
14-14-6	Revoked	V. 21, p. 2095
14-14-6a	New	V. 21, p. 2095
14-15-1	New	V. 22, p. 123
14-15-2	New	V. 22, p. 123

AGENCY 17: STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-24-3	New	V. 21, p. 212

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-24-1		
through		
22-24-18	New	V. 21, p. 147-150

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT (By Department of Agriculture)

Reg. No.	Action	Register
25-1-3		
through		
25-1-6	Revoked	V. 21, p. 235, 236
25-1-12	Revoked	V. 21, p. 236
25-1-15	Revoked	V. 21, p. 236
25-1-19		
through		
25-1-28	Revoked	V. 21, p. 236
25-2-4	Revoked	V. 21, p. 236
25-3-2		
through		
25-3-6	Revoked	V. 21, p. 236
25-3-8	Revoked	V. 21, p. 236
25-3-10		
through		
25-3-13	Revoked	V. 21, p. 236

25-3-15	Revoked	V. 21, p. 236
25-3-16	Revoked	V. 21, p. 236
25-3-17	Revoked	V. 21, p. 236
25-4-4	Revoked	V. 21, p. 236
25-5-1	Revoked	V. 21, p. 236

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 21, p. 743
26-1-4	Revoked	V. 21, p. 745
26-1-5	Amended	V. 21, p. 745
26-2-4	Amended	V. 21, p. 745
26-3-2	Revoked	V. 21, p. 745
26-5-1	Revoked	V. 21, p. 745
26-5-6	Amended	V. 21, p. 745
26-8-1	Amended (T)	V. 21, p. 1222
26-8-1	Amended	V. 21, p. 1747
26-8-2	Amended (T)	V. 21, p. 1172
26-8-2	Amended	V. 21, p. 1747
26-8-3	Revoked (T)	V. 21, p. 1173
26-8-3	Revoked	V. 21, p. 1748
26-8-5	Amended (T)	V. 21, p. 1173
26-8-5	Amended	V. 21, p. 1748
26-8-6	Revoked (T)	V. 21, p. 1173
26-8-6	Revoked	V. 21, p. 1748
26-8-7	Amended (T)	V. 21, p. 1173
26-8-7	Amended	V. 21, p. 1748
26-8-8	Amended (T)	V. 21, p. 1173
26-8-8	Amended	V. 21, p. 1748
26-8-9	Revoked (T)	V. 21, p. 1173
26-8-9	Revoked	V. 21, p. 1748
26-8-12	Revoked (T)	V. 21, p. 1173
26-8-12	Revoked	V. 21, p. 1748
26-8-13	Revoked (T)	V. 21, p. 1173
26-8-13	Revoked	V. 21, p. 1748
26-8-14	Revoked (T)	V. 21, p. 1173
26-8-14	Revoked	V. 21, p. 1748
26-8-15	New (T)	V. 21, p. 1173
26-8-15	New	V. 21, p. 1748
26-11-1	New	V. 21, p. 1405
26-11-2	New	V. 21, p. 1405
26-11-3	New	V. 21, p. 1405

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-18	Amended (T)	V. 21, p. 1405
28-1-18	Amended	V. 21, p. 1920
28-4-269	Amended (T)	V. 21, p. 497
28-4-269	Amended	V. 21, p. 1167
28-4-331	Amended (T)	V. 21, p. 498
28-4-331	Amended	V. 21, p. 1168
28-4-351	Amended (T)	V. 21, p. 500
28-4-351	Amended	V. 21, p. 1170
28-4-576		
through		
28-4-596	New (T)	V. 21, p. 597-616
28-4-576		
through		
28-4-596	New	V. 21, p. 2138-2156
28-14-1	Amended	V. 21, p. 1791
28-14-2	Amended	V. 21, p. 1791
28-16-28b		
through		
28-16-28e	Amended	V. 21, p. 2096-2012
28-17-6	Amended (T)	V. 21, p. 1171
28-17-6	Amended	V. 21, p. 1704
28-19-17	Amended	V. 21, p. 1892
28-19-17a		
through		
28-19-17q	Revoked	V. 21, p. 1892
28-19-75	Revoked	V. 21, p. 1325
28-19-350	New	V. 21, p. 1892
28-19-564	Amended	V. 21, p. 1581
28-19-714	New	V. 21, p. 1325
28-29-18	Revoked	V. 21, p. 310
28-29-29	Amended	V. 21, p. 310
28-29-2201	New	V. 21, p. 310
28-31-1	Amended	V. 21, p. 1511
28-31-2	Amended	V. 21, p. 1512
28-31-3	Amended	V. 21, p. 1512
28-31-4	Amended	V. 21, p. 1512
28-31-6	Amended	V. 21, p. 1517

(continued)

28-31-8	Amended	V. 21, p. 1518	30-10-6	Amended	V. 21, p. 1014	44-6-136a	Amended	V. 21, p. 1420
28-31-8b	Amended	V. 21, p. 1519	30-10-7	Amended	V. 21, p. 509	44-6-137	Amended	V. 21, p. 1420
28-31-9	Amended	V. 21, p. 1519	30-10-11	Amended	V. 21, p. 1015	44-6-138	Amended	V. 21, p. 1420
28-31-10	Amended	V. 21, p. 1519	30-10-15a	Amended	V. 21, p. 1017	44-6-140	Amended	V. 21, p. 1421
28-31-10a	Amended	V. 21, p. 1520	30-10-15b	Amended	V. 21, p. 1018	44-6-140a	Amended	V. 21, p. 1421
28-31-11	Revoked	V. 21, p. 1520	30-10-17	Amended	V. 21, p. 2050	44-6-141	Amended	V. 21, p. 1421
28-31-14	Amended	V. 21, p. 1520	30-10-18	Amended	V. 21, p. 2052	44-6-142	Revoked	V. 21, p. 1421
28-31-15	Amended	V. 21, p. 1520	30-10-19	Amended	V. 21, p. 1023	44-6-143	Amended	V. 21, p. 1421
28-31-16	Amended	V. 21, p. 1520	30-10-21	Amended	V. 21, p. 1024	44-6-146	Revoked	V. 21, p. 1422
28-38-18			30-10-23a	Amended	V. 21, p. 2055	44-7-102	Revoked	V. 21, p. 309
through			30-10-24	Amended	V. 21, p. 1025	44-7-103	Revoked	V. 21, p. 309
28-38-23	Amended	V. 22, p. 7-9	30-10-25	Amended	V. 21, p. 1026	44-7-105	Revoked	V. 21, p. 309
28-38-28	Amended	V. 22, p. 10	30-10-27	Amended	V. 21, p. 1027	44-7-106	Revoked	V. 21, p. 309
28-38-29	Amended	V. 22, p. 10	30-10-29	Revoked	V. 21, p. 1028	44-7-107	Revoked	V. 21, p. 309
28-38-30	Amended	V. 22, p. 11	30-12-16			44-7-109	Revoked	V. 21, p. 309
28-45-2	Revoked (T)	V. 22, p. 531	through			44-7-112	Revoked	V. 21, p. 309
28-45-2a	New (T)	V. 22, p. 531	30-12-22	Revoked	V. 21, p. 331	44-7-114	Revoked	V. 21, p. 309
28-45-3	Revoked (T)	V. 22, p. 532	30-13-17			44-7-115	Revoked	V. 21, p. 309
28-45-3a	New (T)	V. 22, p. 532	through			44-7-116	Revoked	V. 21, p. 309
28-45-4	Revoked (T)	V. 22, p. 533	30-13-26	Revoked	V. 21, p. 331	44-8-110		
28-45-4a	New (T)	V. 22, p. 533	30-14-28	Amended (T)	V. 22, p. 84	through		
28-45-5	Revoked (T)	V. 22, p. 533	30-14-28	Amended	V. 22, p. 434	44-8-114	Revoked	V. 21, p. 309
28-45-5a	New (T)	V. 22, p. 533	30-64-20	Amended	V. 21, p. 80	44-11-111	Amended	V. 21, p. 335
28-45-6	Revoked (T)	V. 22, p. 534	30-64-22	Amended	V. 21, p. 80	44-11-112	Revoked	V. 21, p. 336
28-45-6a	New (T)	V. 22, p. 534	30-64-23	Amended	V. 21, p. 80	44-11-113	Amended	V. 21, p. 336
28-45-7	Revoked (T)	V. 22, p. 535	30-64-24	Amended	V. 21, p. 1310	44-11-114	Revoked	V. 21, p. 336
28-45-7a	New (T)	V. 22, p. 535	30-64-30	Amended	V. 21, p. 81	44-11-115	Revoked	V. 21, p. 336
28-45-8	Revoked (T)	V. 22, p. 536	30-64-31	Amended	V. 21, p. 81	44-11-119	Amended	V. 21, p. 336
28-45-8a	New (T)	V. 22, p. 536	30-64-32	Amended	V. 21, p. 82	44-11-120	Amended	V. 21, p. 336
28-45-9	Revoked (T)	V. 22, p. 536	30-64-34	Revoked	V. 21, p. 82	44-11-121	Amended	V. 21, p. 337
28-45-9a	New (T)	V. 22, p. 536				44-11-122	Revoked	V. 21, p. 337
28-45-10	Revoked (T)	V. 22, p. 536				44-11-123	Amended	V. 21, p. 337
28-45-10a	New (T)	V. 22, p. 536				44-11-124	Revoked	V. 21, p. 337
28-45-11	Revoked (T)	V. 22, p. 537				44-11-127	Amended	V. 21, p. 337
28-45-11a	New (T)	V. 22, p. 537				44-11-129	Amended	V. 21, p. 338
28-45-12						44-11-130	Amended	V. 21, p. 338
through						44-11-131	Amended	V. 21, p. 339
28-45-30	New (T)	V. 22, p. 537-548				44-11-132	Amended	V. 21, p. 339
28-45a-1						44-11-133	Amended	V. 21, p. 339
through						44-11-135	Amended	V. 21, p. 339
28-45a-19	New (T)	V. 22, p. 548-557				44-12-103	Amended	V. 21, p. 117
28-55-3	Amended	V. 21, p. 311				44-12-105	Amended	V. 21, p. 117
28-55-5	Amended	V. 21, p. 311				44-12-106	Amended	V. 21, p. 117
28-72-1						44-12-107	Amended	V. 21, p. 117
through						44-12-201		
28-72-4	Amended	V. 21, p. 1944-1948				44-12-205	Amended	V. 21, p. 118
28-72-4a	Amended	V. 21, p. 1952				44-12-210	Amended	V. 21, p. 118
28-72-4b	Amended	V. 21, p. 1954				44-12-303	Amended	V. 21, p. 118
28-72-4c	Amended	V. 21, p. 1955				44-12-305	Amended	V. 21, p. 118
28-72-5						44-12-306	Amended	V. 21, p. 119
through						44-12-307	Amended	V. 21, p. 119
28-72-18	Amended	V. 21, p. 1957-1971				44-12-309	Amended	V. 21, p. 119
28-72-18e	Amended	V. 21, p. 1973				44-12-310	Amended	V. 21, p. 119
28-72-19	Amended	V. 21, p. 1974				44-12-312	Amended	V. 21, p. 119
28-72-21	Amended	V. 21, p. 1974				44-12-313	Amended	V. 21, p. 119
						44-12-314	Amended	V. 21, p. 119
						44-12-318	Amended	V. 21, p. 120
						44-12-320	Revoked	V. 21, p. 120
						44-12-321	Amended	V. 21, p. 120
						44-12-325	Amended	V. 21, p. 120
						44-12-326	Revoked	V. 21, p. 120
						44-12-327	Amended	V. 21, p. 120
						44-12-328	Amended	V. 21, p. 120
						44-12-401	Amended	V. 21, p. 120
						44-12-501	Amended	V. 21, p. 121
						44-12-503	Amended	V. 21, p. 121
						44-12-504	Amended	V. 21, p. 121
						44-12-505b	Amended	V. 21, p. 121
						44-12-601	Amended	V. 21, p. 121
						44-12-602	Amended	V. 21, p. 123
						44-12-702	Amended	V. 21, p. 123
						44-12-801	Amended	V. 21, p. 123
						44-12-902	Amended	V. 21, p. 123
						44-12-1002	Amended	V. 21, p. 123
						44-12-1002	Amended (T)	V. 22, p. 384
						44-12-1306	Amended	V. 21, p. 123
						44-12-1307	Amended	V. 21, p. 124
						44-13-101	Amended	V. 21, p. 151
						44-13-104	Revoked	V. 21, p. 151
						44-13-105	Amended	V. 21, p. 151
						44-13-106	Amended	V. 21, p. 151
						44-13-201	Amended	V. 21, p. 152
						44-13-201b	Amended	V. 21, p. 153
						44-13-201b	Amended (T)	V. 22, p. 384
						44-13-202	Amended	V. 21, p. 153

**AGENCY 40: KANSAS INSURANCE
DEPARTMENT**

Reg. No.	Action	Register
40-1-34	Amended	V. 21, p. 2131
40-1-43	Amended	V. 21, p. 451
40-1-46	Amended	V. 21, p. 212
40-1-47	New	V. 21, p. 588
40-1-48	Amended	V. 21, p. 1056
40-1-49	New	V. 21, p. 1703
40-2-22	Revoked	V. 21, p. 589
40-4-36	Amended	V. 22, p. 465
40-4-37	Amended	V. 21, p. 741
40-4-37k	Amended	V. 21, p. 1272
40-4-37q	New	V. 21, p. 1272
40-4-37s	New	V. 21, p. 743
40-4-37t	New	V. 21, p. 1272
40-4-37u	New	V. 21, p. 1370

**AGENCY 44: DEPARTMENT OF
CORRECTIONS**

Reg. No.	Action	Register
44-4-103	Revoked	V. 21, p. 309
44-4-104	Revoked	V. 21, p. 309
44-4-106		
through		
44-4-109	Revoked	V. 21, p. 309
44-5-101	Revoked	V. 21, p. 309
44-5-103	Revoked	V. 21, p. 309
44-5-107		
through		
44-5-110	Revoked	V. 21, p. 309
44-5-113	Revoked	V. 21, p. 309
44-5-114	Revoked	V. 21, p. 309
44-6-101	Amended	V. 21, p. 1406
44-6-106	Amended	V. 21, p. 1407
44-6-107	Amended	V. 21, p. 1407
44-6-108	Amended	V. 21, p. 1408
44-6-114c	Amended	V. 21, p. 1408
44-6-114d	New	V. 21, p. 1409
44-6-114e	New	V. 21, p. 1409
44-6-115	Revoked	V. 21, p. 1415
44-6-115a	New	V. 21, p. 1415
44-6-115a	Amended (T)	V. 22, p. 383
44-6-115b	New	V. 21, p. 1415
44-6-115c	New	V. 21, p. 1417
44-6-117	Revoked	V. 21, p. 1418
44-6-120	Revoked	V. 21, p. 1418
44-6-124	Revoked	V. 21, p. 1418
44-6-125	Amended	V. 21, p. 1418
44-6-126	Amended	V. 21, p. 1419
44-6-133	Revoked	V. 21, p. 1419
44-6-134	Amended	V. 21, p. 1419
44-6-136	Amended	V. 21, p. 1419

**AGENCY 30: SOCIAL AND
REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-90	Amended	V. 21, p. 1005
30-4-96	Revoked	V. 22, p. 249
30-5-64	Amended	V. 22, p. 584
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-94	Amended	V. 21, p. 2049
30-5-101	Revoked	V. 21, p. 1007
30-5-101a	Revoked	V. 21, p. 2049
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 432
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 433
30-5-108a	Amended	V. 21, p. 2049
30-5-300	Amended	V. 21, p. 1007
30-5-308	Amended	V. 21, p. 2049
30-6-86	Amended	V. 21, p. 2049
30-6-88	New	V. 21, p. 1010
30-6-94	Amended	V. 21, p. 506
30-6-103	Amended (T)	V. 22, p. 84
30-6-103	Amended	V. 22, p. 433
30-6-106	Amended	V. 22, p. 249
30-6-107	Amended	V. 21, p. 1011
30-6-109	Amended	V. 21, p. 1011
30-6-112	Amended	V. 21, p. 1013
30-10-1a	Amended	V. 21, p. 506
30-10-2	Amended	V. 21, p. 508

44-13-302a	Revoked	V. 21, p. 153
44-13-304	Revoked	V. 21, p. 153
44-13-306	New	V. 21, p. 154
44-13-307	New	V. 21, p. 154
44-13-401	Amended	V. 21, p. 154
44-13-401a	Revoked	V. 21, p. 154
44-13-402	Amended	V. 21, p. 154
44-13-403	Amended	V. 21, p. 155
44-13-404	Amended	V. 21, p. 156
44-13-405a	Amended	V. 21, p. 157
44-13-406	Amended	V. 21, p. 158
44-13-408	Amended	V. 21, p. 158
44-13-409	Amended	V. 21, p. 158
44-13-501	Amended	V. 21, p. 158
44-13-502a	Amended	V. 21, p. 158
44-13-506		
through		
44-13-509	Amended	V. 21, p. 158, 159
44-13-601	Amended	V. 21, p. 159
44-13-603	Amended	V. 21, p. 159
44-13-610	Amended	V. 21, p. 159
44-13-701		
through		
44-13-704	Amended	V. 21, p. 159, 160
44-13-705	Revoked	V. 21, p. 161
44-13-706	Amended	V. 21, p. 161
44-13-707	Amended	V. 21, p. 161
44-14-101	Revoked	V. 21, p. 83
44-14-102	Revoked	V. 21, p. 83
44-14-201	Revoked	V. 21, p. 83
44-14-202	Revoked	V. 21, p. 83
44-14-301		
through		
44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
44-15-201	Amended	V. 21, p. 86
44-16-102	Amended	V. 21, p. 86
44-16-103	Revoked	V. 21, p. 86
44-16-104	Revoked	V. 21, p. 86
44-16-105	Amended	V. 21, p. 86
44-16-106	Revoked	V. 21, p. 86
44-16-107	Revoked	V. 21, p. 86
44-16-108	Revoked	V. 21, p. 86

AGENCY 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-1-1	Revoked	V. 21, p. 1894
45-4-4		
through		
45-4-7	Revoked	V. 21, p. 1894
45-4-9	Revoked	V. 21, p. 1894
45-6-1	Revoked	V. 21, p. 1894
45-6-2	Revoked	V. 21, p. 1894
45-6-3	Revoked	V. 21, p. 1894
45-6-5	Revoked	V. 21, p. 1894
45-7-1		
through		
45-7-5	Revoked	V. 21, p. 1894
45-9-1		
through		
45-9-4	Revoked	V. 21, p. 1894
45-10-1	Revoked	V. 21, p. 1894
45-11-1	Revoked	V. 21, p. 1895
45-14-1	Revoked	V. 21, p. 1895
45-16-2	Revoked	V. 21, p. 1895
45-16-3	Revoked	V. 21, p. 1895
45-16-4	Revoked	V. 21, p. 1895
45-100-1	New	V. 21, p. 1895
45-200-1	New	V. 21, p. 1895
45-200-2	New	V. 21, p. 1896
45-300-1	New	V. 21, p. 1896
45-300-2	New	V. 21, p. 1896
45-400-1		
through		
45-400-4	New	V. 21, p. 1896, 1897
45-500-1		
through		
45-500-4	New	V. 21, p. 1897, 1898
45-600-1	New	V. 21, p. 1899
45-700-1	New (T)	V. 21, p. 1328
45-700-1	New	V. 21, p. 1900
45-700-2	New (T)	V. 21, p. 1328
45-700-2	New	V. 21, p. 1900

45-800-1	New	V. 21, p. 1900
45-900-1	New	V. 21, p. 1901
45-1000-1	New	V. 21, p. 1901
45-1000-2	New	V. 21, p. 1901
45-1000-3	New	V. 21, p. 1901

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-2-6	New	V. 21, p. 864
51-3-1		
through		
51-3-4	Amended	V. 21, p. 864-865
51-9-12		
through		
51-9-14	Revoked	V. 21, p. 865
51-9-15	New	V. 21, p. 1224
51-9-16	New	V. 21, p. 1271
51-10-6	Revoked	V. 21, p. 865
51-17-1	Revoked	V. 21, p. 865
51-24-1	Amended	V. 21, p. 865
51-24-3	Amended	V. 21, p. 865
51-24-4	Amended	V. 21, p. 866

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-104	Amended	V. 22, p. 42
60-2-101		
through		
60-2-106	Amended	V. 22, p. 43-47
60-2-108	Amended	V. 22, p. 47
60-3-106	Amended	V. 21, p. 840
60-3-110	Amended	V. 21, p. 1764
60-3-112	Amended	V. 21, p. 1764
60-4-103	Amended	V. 21, p. 841
60-9-105	Amended	V. 21, p. 1765
60-9-107	Amended	V. 21, p. 1765
60-11-116	Amended	V. 21, p. 316
60-11-121	Amended	V. 21, p. 1767
60-13-103	Amended	V. 21, p. 316
60-13-110	Amended	V. 21, p. 317
60-16-101	Amended	V. 21, p. 841
60-16-102	Amended	V. 22, p. 47
60-16-103	Amended	V. 21, p. 842
60-16-104	Amended	V. 21, p. 842

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-23	New	V. 21, p. 659
63-3-22	New	V. 21, p. 659
63-3-23	New	V. 21, p. 659
63-4-1	Amended	V. 21, p. 659
63-7-1		
through		
63-7-8	New	V. 21, p. 660-662

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 21, p. 183

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-8-4	Amended	V. 21, p. 1789
66-9-5	Amended	V. 21, p. 1789
66-10-1	Amended	V. 21, p. 1789
66-10-9	Amended	V. 21, p. 1789
66-10-10b	New	V. 21, p. 1789
66-10-13	Amended	V. 21, p. 1790
66-11-1a	New	V. 21, p. 1790
66-11-1b	New	V. 21, p. 1790
66-11-5	New	V. 21, p. 1790
66-14-6	Amended	V. 21, p. 1790

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1a	Amended	V. 21, p. 746
68-1-1e	Revoked	V. 21, p. 308
68-1-2a	Amended	V. 21, p. 746
68-1-3	Revoked	V. 21, p. 308

68-1-3a	Amended	V. 21, p. 746
68-2-5	Amended	V. 21, p. 308
68-2-9	Amended	V. 22, p. 118
68-2-10	Amended	V. 22, p. 118
68-2-11	Amended	V. 22, p. 118
68-2-12a	Amended	V. 22, p. 118
68-2-15	Amended	V. 22, p. 430
68-2-20	Amended	V. 22, p. 119
68-7-12	Amended	V. 22, p. 119
68-7-12a	Amended	V. 22, p. 120
68-7-12b	New	V. 22, p. 120
68-8-1	Amended	V. 22, p. 431
68-9-1	Amended	V. 21, p. 308
68-9-2	Amended	V. 22, p. 121
68-11-1	Amended	V. 22, p. 122
68-11-2	Amended	V. 22, p. 122
68-12-2	Amended	V. 22, p. 122
68-13-1	Amended	V. 22, p. 122

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-7	Amended	V. 21, p. 1867
74-4-8	Amended	V. 21, p. 1867
74-4-9	Amended	V. 21, p. 1901
74-5-101	Amended	V. 21, p. 1868
74-5-102	Amended	V. 21, p. 1868
74-5-202	Amended	V. 21, p. 1869
74-5-302	Amended	V. 21, p. 1869
74-5-401	Amended	V. 21, p. 1869
74-5-406	Amended	V. 21, p. 1869
74-7-4	New	V. 21, p. 1870
74-11-6	Amended	V. 21, p. 1870
74-11-7	Amended	V. 21, p. 1870

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-220a	New	V. 22, p. 39
82-3-105	Amended (T)	V. 21, p. 1175
82-3-105	Amended	V. 21, p. 1750
82-3-113	Amended (T)	V. 21, p. 1175
82-3-113	Amended	V. 21, p. 1750
82-3-114	Amended (T)	V. 21, p. 1176
82-3-114	Amended	V. 21, p. 1751
82-3-117	Amended (T)	V. 21, p. 1176
82-3-117	Amended	V. 21, p. 1751
82-3-120	Amended (T)	V. 21, p. 1176
82-3-120	Amended	V. 21, p. 1751
82-3-311	Amended (T)	V. 21, p. 1178
82-3-311	Amended	V. 21, p. 1753
82-3-312	Amended	V. 21, p. 117
82-3-400	Amended	V. 21, p. 383
82-3-401	Amended	V. 21, p. 383
82-3-401a	Revoked	V. 21, p. 384
82-3-401b	Revoked	V. 21, p. 384
82-3-402		
through		
82-3-410	Amended	V. 21, p. 384-389
82-3-411	New	V. 21, p. 389
82-3-412	New	V. 21, p. 390
82-3-1000		
through		
82-3-1012	New (T)	V. 21, p. 1178-1188
82-3-1000		
through		
82-3-1012	New	V. 21, p. 1753-1763
82-4-2	Amended	V. 22, p. 86
82-4-20	Amended	V. 22, p. 86
82-4-21	Amended	V. 22, p. 87
82-4-22	Amended (T)	V. 21, p. 1329
82-4-22	Amended	V. 21, p. 1702
82-4-23	Amended	V. 22, p. 87
82-4-26	Amended	V. 22, p. 87
82-4-26a	Amended	V. 22, p. 88
82-4-27	Amended	V. 22, p. 88
82-4-27a	Amended	V. 22, p. 88
82-4-27e	Amended	V. 22, p. 89
82-4-28	Amended	V. 22, p. 89
82-4-28a	Amended	V. 22, p. 89
82-4-29	Amended	V. 22, p. 90
82-4-29a	Amended	V. 22, p. 90
82-4-30a	Amended	V. 22, p. 90
82-4-32	Amended	V. 22, p. 90

(continued)

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-1	Amended	V. 22, p. 585
111-2-4	Amended	V. 20, p. 1094
111-2-119		
through		
111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 21, p. 590
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-2-131	New	V. 20, p. 1778
111-2-132	New	V. 20, p. 1901
111-2-133	New	V. 20, p. 1901
111-2-134	New	V. 20, p. 1901
111-2-135	New	V. 21, p. 590
111-2-136	New	V. 21, p. 590
111-2-137	New	V. 21, p. 649
111-2-138	New	V. 21, p. 692
111-2-139	New	V. 21, p. 747
111-2-140	New	V. 21, p. 1521
111-2-141	New	V. 21, p. 1852
111-2-142	New	V. 21, p. 1852
111-2-143	New	V. 22, p. 585
111-2-144a	New	V. 22, p. 586
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 1189
111-4-1448	Amended	V. 21, p. 1521
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
111-4-1814		
through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825		
through		
111-4-1839	New	V. 20, p. 937-942
111-4-1828	Amended	V. 20, p. 1096
111-4-1832	Amended	V. 20, p. 1344
111-4-1840		
through		
111-4-1844	New	V. 20, p. 1096-1100
111-4-1845		
through		
111-4-1850	New	V. 20, p. 1189-1193
111-4-1849	Amended	V. 20, p. 1344
111-4-1851	New	V. 20, p. 1345
111-4-1852	New	V. 20, p. 1346
111-4-1853	New	V. 20, p. 1347
111-4-1854		
through		
111-4-1870	New	V. 20, p. 1395-1405
111-4-1864	Amended	V. 20, p. 1569
111-4-1866	Amended	V. 20, p. 1570
111-4-1867	Amended	V. 20, p. 1601
111-4-1869	Amended	V. 20, p. 1601
111-4-1871	New	V. 20, p. 1571
111-4-1872	New	V. 20, p. 1572
111-4-1873	New	V. 20, p. 1572
111-4-1874		
through		
111-4-1877	New	V. 20, p. 1779-1781
111-4-1877	Amended	V. 20, p. 1902
111-4-1878		
through		
111-4-1885	New	V. 20, p. 1902-1906
111-4-1886		
through		
111-4-1889	New	V. 21, p. 183-185

111-4-1890		
through		
111-4-1893	New	V. 21, p. 591-593
111-4-1894		
through		
111-4-1900	New	V. 21, p. 649-655
111-4-1894	Amended	V. 21, p. 1276
111-4-1901		
through		
111-4-1921	New	V. 21, p. 692-702
111-4-1910	Amended	V. 21, p. 747
111-4-1911	Amended	V. 21, p. 747
111-4-1913	Amended	V. 21, p. 748
111-4-1922	New	V. 21, p. 748
111-4-1923	New	V. 21, p. 749
111-4-1924		
through		
111-4-1932	New	V. 21, p. 1329-1337
111-4-1929	Amended	V. 21, p. 1522
111-4-1933		
through		
111-4-1938	New	V. 21, p. 1523-1526
111-4-1938	Amended	V. 21, p. 1852
111-4-1939		
through		
111-4-1945	New	V. 21, p. 1854-1857
111-4-1946		
through		
111-4-1951	New	V. 22, p. 48-52
111-4-1952		
through		
111-4-1964	New	V. 22, p. 439-448
111-4-1965		
through		
111-4-1975	New	V. 22, p. 586-593
111-5-22	Amended	V. 21, p. 1758
111-5-23	Amended	V. 21, p. 1858
111-5-24	Amended	V. 21, p. 1858
111-5-26	Amended	V. 21, p. 1859
111-5-27	Amended	V. 21, p. 1860
111-5-28	Amended	V. 21, p. 1860
111-5-30	Amended	V. 21, p. 1529
111-5-32	Amended	V. 21, p. 1861
111-5-33	Amended	V. 21, p. 1861
111-5-78	Amended	V. 21, p. 751
111-5-79		
through		
111-5-91	New	V. 21, p. 1278-1281
111-5-82	Amended	V. 21, p. 1529
111-5-83	Amended	V. 21, p. 1529
111-5-92		
through		
111-5-98	New	V. 21, p. 1339-1341
111-5-96	Amended	V. 21, p. 1530
111-5-97	Amended	V. 21, p. 1531
111-5-99		
through		
111-5-103	New	V. 22, p. 593, 594
111-6-5	Amended	V. 21, p. 1531
111-7-119		
through		
111-7-127	Amended	V. 21, p. 594-597
111-7-123	Amended	V. 21, p. 1531
111-7-126	Amended	V. 21, p. 1532
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158		
through		
111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163		
through		
111-7-170	New	V. 20, p. 1101-1103
111-7-165	Amended	V. 20, p. 1194
111-7-171		
through		
111-7-175	New	V. 20, p. 1782, 1783
111-7-176		
through		
111-7-180	New	V. 21, p. 656, 657
111-7-181	New	V. 21, p. 1563
111-7-182		
through		
111-7-186	New	V. 21, p. 1861-1862

111-7-182	Amended	V. 22, p. 53
111-7-184	Amended	V. 22, p. 53
111-8-101		
through		
111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
111-9-112	Amended	V. 20, p. 1579
111-9-113	Amended	V. 21, p. 186
111-9-114	New	V. 21, p. 657
111-9-115	New	V. 21, p. 702
111-9-116	New	V. 21, p. 703
111-9-117	New	V. 21, p. 1533
111-9-118	New	V. 22, p. 54
111-9-119	New	V. 22, p. 54

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1a	New	V. 22, p. 278
112-4-1b	New	V. 22, p. 279
112-6-4	Amended	V. 22, p. 85
112-9-44	Amended	V. 22, p. 279
112-10-2	Amended	V. 22, p. 85
112-11-20	Amended	V. 22, p. 281
112-12-10	Amended	V. 22, p. 86

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 21, p. 1557
115-2-2	Amended	V. 21, p. 1558
115-2-3	Amended	V. 21, p. 1558
115-2-6	Amended	V. 21, p. 451
115-4-4	Amended	V. 21, p. 452
115-4-6	Amended	V. 22, p. 434
115-4-11	Amended	V. 22, p. 436
115-5-1	Amended	V. 21, p. 1137
115-5-2	Amended	V. 21, p. 1138
115-5-3	Amended	V. 21, p. 1138
115-7-1	Amended	V. 21, p. 1558
115-7-2	Amended	V. 21, p. 1559
115-7-7	New	V. 21, p. 1559
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177
115-11-2	Amended	V. 21, p. 177
115-13-3	Amended	V. 21, p. 1560
115-13-4	Amended	V. 21, p. 1560
115-16-5	New	V. 21, p. 1138
115-16-6	New	V. 21, p. 1139
115-17-6		
through		
115-17-9	Amended	V. 22, p. 437-439
115-17-11	Amended	V. 21, p. 1561
115-17-12	Amended	V. 21, p. 1562
115-17-13	Amended	V. 21, p. 1562
115-17-14	Amended	V. 21, p. 1890
115-18-7	Amended	V. 21, p. 453
115-18-10	Amended	V. 22, p. 439
115-18-13	Amended	V. 21, p. 1562
115-18-14	Amended	V. 21, p. 1563
115-20-2	Amended	V. 21, p. 1891
115-30-8	Amended	V. 21, p. 1891

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-1	Amended	V. 21, p. 658
117-8-1	Amended	V. 21, p. 659

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-1		
through		
118-5-10	New	V. 21, p. 1205-1208

AGENCY 126: UNMARKED BURIAL SITES PRESERVATION BOARD

Reg. No.	Action	Register
126-1-1	New	V. 21, p. 1792
126-1-2	New	V. 21, p. 1792